



State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT
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TRENTON, NJ 08625-0716

NATASHA JOHNSON
Assistant Commissioner

The following Decision is distributed for your information. This Decision has been made in consideration of the specific facts of this case. This Decision is not to be interpreted as establishing any new mandatory policy or procedure otherwise officially promulgated.

STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 18561-25 E.F.

AGENCY DKT. NO. **C092783014 (MORRIS CO. OFFICE OF TEMP ASSISTANCE)**

Petitioner appeals from the Respondent Agency's denial of his applications for Supplemental Nutritional Assistance Program ("SNAP") benefits and Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner's application for SNAP benefits due to Petitioner's immigration status. The Agency denied Petitioner's application for WFNJ/GA benefits due to Petitioner's failure to provide requested verifications necessary to determine his eligibility for said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 15, 2026, the Honorable Thomas R. Betancourt, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On January 15, 2026, the ALJ issued an Initial Decision, affirming the Agency's determinations.

Exceptions to the Initial Decision were received from Petitioner on January 27, 2026.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's Initial Decision and AFFIRM the Agency's determinations, based on the discussion below.

In order to determine eligibility for WFNJ/GA benefits, mandatory verification of certain information is required. See N.J.A.C. 10:90-2.2. Verification for WFNJ/GA benefits requires the applicant to provide all necessary documentation. See N.J.A.C. 10:90-2.2(a)(5) (stating that "As a condition of eligibility for WFNJ benefits, the applicant shall, subject to good cause exceptions, be required to provide all necessary documentation.").

Here, the record reveals that Petitioner applied for SNAP and WFNJ/GA benefits on September 2, 2025. See Initial Decision at 2; see also Exhibit R-1. On September 4, 2025, the Agency requested verifications in order to complete a review of Petitioner's applications. Ibid. Petitioner failed to submit any of the requested information and on October 2, 2025, the Agency sent denial notifications for both the SNAP and WFNJ/GA applications. Ibid. The October 2, 2025 notification further informed Petitioner that if the requested information was received within thirty days, the Agency would reopen the SNAP application. Ibid. Petitioner thereafter submitted additional information, which the Agency considered, and after such consideration, issued a denial notification, as to the SNAP application. The October 8, 2025 denial notification indicated that Petitioner did not meet the criteria for a qualified alien pursuant to the regulatory authority at N.J.A.C. 10:87-3.8(e) and -3.8(f). See Initial Decision at 2; see also Exhibits P-1, R-1.

Petitioner contends that he is a qualified eligible alien as the United States Department of Homeland Security issued a prima facie determination, dated October 30, 2025, stating that Petitioner had established a prima facie case for being classified as a self-petitioner pursuant to the Violence Against Women Act ("VAWA"). See Initial Decision at 2-3; see



also Exhibits P-1, R-1. At the time of the hearing, Petitioner testified that he had also applied for permanent residency, however no documentary evidence was presented regarding same. See Initial Decision at 3.

Based on the foregoing, the ALJ concluded that Petitioner had not provided the documentation required to be verified for WFNJ/GA benefits eligibility, and as such, that the Agency's denial of WFNJ/GA benefits to Petitioner was proper and must stand. See Initial Decision at 5; see also N.J.A.C. 10:90-2.2(a)(5). I agree.

As to the SNAP application, the ALJ found that Petitioner did not meet any of the regulatory criteria for a qualified alien set forth at N.J.A.C. 10:87-3.8(e) or the special criteria set forth at N.J.A.C. 10:87-3.8(f). The ALJ in this matter found that the Petitioner could provide no evidence that he met the regulatory criteria for receipt of SNAP benefits, and thus, the ALJ concluded that the Agency's denial of SNAP benefits to Petitioner was proper and must stand. See Initial Decision at 5. I agree and note that although it may previously have been arguable that Petitioner could fall within the qualified alien category set forth at N.J.A.C. 10:87-3.8(e)(1) ("A battered spouse, battered child, parent or child of a battered person with a petition pending under 8 U.S.C. § 1154(a)(1)(B)(ii) or (iii), or 8 U.S.C. § 1254(a)3 providing that the individual responsible for the battery or cruelty is not residing in the same household as the individual subjected to the battery or cruelty;") due to the prima facie determination, that, pursuant to H.R. 1 (Pub. L. No. 119-21), also known as the One Big Beautiful Bill ("OB BB") Act of 2025, certain eligibility factors for SNAP were impacted, including that effective July 4, 2025, Section 10108 of the OB BB amended section 6(f) of the Food and Nutrition Act of 2008 (FNA), such that eligibility for SNAP was limited to the following groups: U.S. citizens, U.S. nationals, lawful permanent residents (LPRs), Cuban and Haitian entrants, and Compact of Free Association (COFA) citizens. See <https://www.fns.usda.gov/snap/obbb-alien-eligibility>. Thus, battered aliens no longer qualify for SNAP benefits unless they are an LPR. Ibid. The Initial Decision is modified to reflect this analysis.

By way of comment, I have reviewed Petitioner's Exceptions, and I find that the arguments made therein do not alter my decision in this matter.

Accordingly, the Initial Decision is hereby MODIFIED and the Agency's determinations are hereby AFFIRMED, as outlined above.

Officially approved final version. February 19, 2026

Natasha Johnson
Assistant Commissioner

