State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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STEPHEN CHA, MD, MHSR
Commissioner

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 **12161-26 K.P.**

AGENCY DKT. NO. **C735535002** (**BERGEN COUNTY BD. OF SOC. SVCS.**)

Petitioner appeals from the Respondent Agency's reduction of her Supplemental Nutrition Assistance Program ("SNAP") benefits allotment. The Agency reduced Petitioner's SNAP benefits contending that she failed to participate in the required work activity. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 15, 2026, the Honorable Kelly J. Kirk, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On September 28, 2026, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

In order to maintain eligibility for SNAP benefits, able-bodied adults without dependents ("ABAWDS"), unless exempt, are required to participate in a work activity. See N.J.A.C. 10:87-10.20(a). Such regulations were impacted by federal law governing SNAP and ABAWD rules, including H.R. 1 Public Law 119-21 (July 4, 2025), the Fiscal Responsibility Act of 2023 ("FRA"), P.L. 118-5, 7 U.S.C. 2015, and 7 C.F.R. 271.2, 273.7, 273.74, and the termination of New Jersey's federally approved waiver of the ABAWD rules by the United States Department of Agriculture, Food and Nutrition Service. See DFD Instruction ("DFDI") No. 25-11-02 (in effect at the time of the termination in this matter) and supplemented by DFDI No. 26-06-04 (in effect at the time of the issuance of this Final Agency Decision).

Here, the record reveals that Petitioner was in receipt of SNAP benefits when the Agency notified Petitioner that she was subject to the ABAWD Time Limit Rules, whereby she could only receive SNAP benefits for three (3) months during a 3-year period unless she was working or in an allowable activity for at least eighty (80) hours per month. See Initial Decision at 2-4; see also Exhibit R-1. As Petitioner's household contains other members who would remain eligible for receipt of SNAP benefits, on May 21, 2026, the Agency notified Petitioner that her SNAP benefits would be reduced, effective June 1, 2026, from $644 to $405. See Initial Decision at 4; see also Exhibit R-1. Subsequently, on June 17, 2026, the Agency requested that Petitioner provide the Agency with a copy of her tax return and business profit/loss statement and detail how many hours she worked weekly or monthly. Ibid. Petitioner failed to return any documentation and provided the Agency with no substantiating information which would exempt her from the Federal ABAWD requirements. See Initial Decision at 6; see also Exhibit R-1 and N.J.A.C. 10:87-10.20(a). Based on the foregoing, the ALJ found that the Agency's reduction of Petitioner's SNAP benefits allotment was proper and must stand. See Initial Decision at 6. I agree.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is AFFIRMED, as outlined above.

Officially approved final version. October 15, 2026

Natasha Johnson
Assistant Commissioner