



State of New Jersey

MIKIE SHERRILL
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

STEPHEN CHA, MD, MHSR
Commissioner

DR. DALE G. CALDWELL
Lt. Governor

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 **02802-26 N.M.**

AGENCY DKT. NO. **C132453008 (GLOUCESTER COUNTY DIV. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's SNAP benefits, contending that Petitioner's certification period for benefits had ended and the subsequent submission of documentation must be treated as a new application for SNAP benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 27, 2026, the Honorable Elaine B. Frick, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents into evidence. On April 8, 2026, the ALJ issued an Initial Decision, reversing 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 REJECT the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

Regulatory authority applicable to a SNAP household recertification for SNAP benefits states that "[n]o household may participate beyond the expiration of the certification period ... without a determination of eligibility for a new period. Households shall apply for recertification and shall comply with interview and verification requirements." See N.J.A.C. 10:87-9.1(a).

Further, N.J.A.C. 10:87-9.1(h) states, "Information provided by the household shall be verified in accordance with N.J.A.C. 10:87-2.19 and 2.20. The CSSA shall provide the household a notice of required verification as provided at N.J.A.C. 10:87- 2.22(d)3, and notify the household of the date by which the verification requirements must be satisfied. The household must be allowed a minimum of 10 calendar days to provide required verification information."

Finally, N.J.A.C. 10:87-9.2(c)(3) states, "If a household does not submit a new application by the end of the certification period, the CSSA shall close the case without further action."

Here, the record indicates that was due to recertify for SNAP benefits, as her certification period was ending January 31, 2026. See Initial Decision at 2. As such, on December 19, 2025, an Agency representative conducted a recertification interview with Petitioner, by telephone, and following such interview sent Petitioner a Request for Verification form indicating that Petitioner would need to submit certain documentation to the Agency, and sign and return the recertification application by December 29, 2025. See Initial Decision at 2-3; see also Exhibit R-1. The Request for Verification form further states, "If you do not give the information/verification or contact the agency by [December 29, 2025], your



application may be denied.” On January 21, 2026, the Agency issued an Adverse Action Notification to Petitioner, as no signed recertification application had been submitted. See Initial Decision at 3; see also Exhibit R-1. On February 1, 2026, Petitioner’s SNAP benefits terminated, as her certification period had ended on January 31, 2026. See Initial Decision at 3. On February 13, 2026, Petitioner submitted the signed application and documentation that had been requested by the Agency. Ibid. The untimely submitted application was treated by the Agency as a new application for SNAP benefits, and was approved on February 18, 2026, and Petitioner was provided with prorated benefits for the month of February, 2026. Ibid.; see also N.J.A.C. 10:87-9.2(c)(3). Effectively, Petitioner was not in receipt of SNAP benefits for the period of February 1, 2026 to February 12, 2026.

Upon a review of the documentary evidence in this matter, the ALJ found that the January 21, 2026 Adverse Action Notice issued to Petitioner indicated that the notice was issued regarding Work First New Jersey/General Assistance (“WFNJ/ GA”) benefits, and did not indicate that Petitioner’s SNAP benefits would be impacted. See Initial Decision at 4. Further, the regulatory citations within the Adverse Action Notice all cited to N.J.A.C. 10:90, which pertains to WFNJ benefits, and no subsequent pages included information pertaining to Petitioner’s SNAP benefits. Ibid. Based on the foregoing, the ALJ found that the Agency failed to issue an Adverse Action Notice to Petitioner regarding the termination of her SNAP benefits. See Initial Decision at 6-7; see also N.J.A.C. 10:87-2.27(e)(1). Accordingly, the ALJ found that Petitioner’s submission of the signed recertification application on February 13, 2026, should have been processed by the Agency as a recertification, rather than a new application, and that Petitioner would be entitled to benefits for the period of February 1, 2026 through February 12, 2026. See Initial Decision at 7.

Respectfully, I disagree with the ALJ’s conclusion in this matter and thereby reject the ALJ’s Initial Decision. Pursuant to regulatory authority, no household may participate in SNAP beyond the expiration date of its certification period without a determination of eligibility for the new certification period. See N.J.A.C. 10:87-9.1(a). Moreover, as noted above, regulatory authority further provides that if the recertification application is not timely submitted, the CSSA shall close the household’s SNAP case without further action. See N.J.A.C. 10:87-9.2(c)(3). While the ALJ concluded that Petitioner timely completed her SNAP recertification application, this conclusion is incorrect, as Petitioner was given the appropriate 10-day period within which to submit the signed application and requested documentation. See Exhibit R-1; see also N.J.A.C. 10:87-9.1(h). Most importantly, the recertification application was not submitted until February 13, 2026, after Petitioner’s prior certification period had expired on January 31, 2026. See Initial Decision at 3. As Petitioner’s recertification application was not timely submitted to the Agency for processing, the Agency must treat such application as a new application, since her case had already closed. See N.J.A.C. 10:87-9.2(c)(3). Based on the foregoing, I find that Petitioner failed to timely submit her recertification application by the applicable deadline, and that the Agency’s termination of SNAP benefits at recertification, and denial of retroactive SNAP benefits for the period of February 1, 2026 to February 12, 2026, was proper and must stand.

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

Officially approved final version. May 07, 2026

Natasha Johnson
Assistant Commissioner

