State of New Jersey

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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 **11768-26 S.P.**

AGENCY DKT. NO. **C233276007** (**ESSEX COUNTY DIVISION OF WELFARE**)

Petitioner challenges the Respondent Agency's denial of retroactive Supplemental Nutrition Assistance Program ("SNAP") benefits. Petitioner contends that the Agency should have considered whether she is entitled to retroactive benefits for May 2026. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 10, 2026, the Honorable Sudha V. Raja, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On September 24, 2026, the ALJ issued an Initial Decision, affirming the Agency's determination that Petitioner is not entitled to retroactive SNAP benefits.

No Exceptions to the Initial Decision were filed.

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

Households determined eligible for SNAP benefits are certified for said benefits for a definite period of time. See N.J.A.C. 10:87-6.20. County Social Service Agencies ("CSSAs") assign the longest certification periods possible based upon the predictability of the household's circumstances. Ibid. N.J.A.C. 10:87-9.5(a) states, in pertinent part, "Simplified reporting cases consist of earned income and unearned income households. The certification period is for 12 months with a six-month interim contact." An IRF is sent to the household at the six-month interim contact point for a household with a 12-month certification period. See N.J.A.C. 10:87-9.5(a)(3). The CSSA shall mail the IRF to the SNAP benefits recipient in the fifth month. Ibid. If a change is reported on the IRF, the CSSA shall obtain the required verification. Ibid. If the required verification is received timely, the case will continue the certification period until the 12th month. Ibid.

Here, the record reflects that the Agency sent Petitioner an IRF, which Petitioner completed and returned on April 28, 2026. See Initial Decision at 2; see also Exhibit R-1. The IRF submitted by Petitioner contained some documentation, and indicated a change in shelter cost, however, the substantiating documentation requested by the Agency was not provided until May 26, 2026. Ibid. The documentation was thereafter reviewed by the Agency, and as a result, her SNAP benefits allotment was increased to $200 per month effective June 1, 2026. See Initial Decision at 3; see also Exhibit R-2.

Pursuant to regulatory authority, changes in shelter costs that result in an increase in a household's SNAP benefits apply prospectively and require verification. See Initial Decision at 3; see also N.J.A.C. 10:87-2.19(d), (f), -9.5(a)(3). Based on the record presented, the ALJ concluded that Petitioner had not demonstrated that she was entitled to retroactive benefits, as although she submitted her IRF in April 2026, she did not provide the required substantiating documentation to the

Agency until May 26, 2026, at which time her SNAP benefits were recalculated and increased, effective June 1, 2026. See Initial Decision at 3-4; see also N.J.A.C. 10:87-2.19(d), (f), -9.5(a)(3). I agree, however, the Initial Decision is modified to reflect that the changes in this case occurred as the result of Petitioner's responses in the IRF at the midway point during the household's certification period, and not at recertification, as stated by the ALJ. See Initial Decision at 3.

Accordingly, the Initial Decision in this matter is hereby MODIFIED and the Agency determination is AFFIRMED, as outlined above.

Officially approved final version. October 15, 2026

Natasha Johnson
Assistant Commissioner