



*State of New Jersey*

**DEPARTMENT OF HUMAN SERVICES**

Division of Family Development  
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Chris Christie  
*Governor*

Kim Guadagno  
*Lt. Governor*

Elizabeth Connolly  
*Acting Commissioner*

Nalasha Johnson  
*Director*

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 2200-15 A.H.

AGENCY DKT. NO. C027335 (SALEM COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals the Respondent Agency's correctness of a Supplemental Nutrition Assistance Program ("SNAP"), f/k/a Food Stamps, benefits recoupment due to an overissuance. The Agency asserts that Petitioner received SNAP benefits to which she was not entitled as the result of an administrative error. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 23, 2015, the Honorable W. Todd Miller, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence. On April 2, 2015, the ALJ issued his Initial Decision affirming the Agency's determination.

No exceptions to the Initial Decision were filed.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the record in this matter and I hereby ADOPT the Initial Decision, affirming the Agency determination.

The SNAP Program, formerly known as food stamps, is designed to promote the general welfare and to safeguard the health and well-being of the population by raising the levels of nutrition among low-income households. See N.J.A.C. 10:87-1.1(a). In the instance of an overpayment of benefits, the Agency must recoup the overissuance. See N.J.A.C. 10:87-11.20.

The record in this matter reveals that in December 2014, Petitioner received SNAP benefits based upon zero income, when in fact, Petitioner had earned income. See Initial Decision at 2. This omission resulted in an overissuance of SNAP benefits to

Petitioner in the amount of \$234. Ibid. While Petitioner asserted that the overissuance was a result of an error of the Agency's, the ALJ found that the overissuance of benefits must be repaid regardless of fault. See id. at 4. I concur with this decision.

As such, I direct that the Agency proceed to recoup the overissuance.

Accordingly, based upon the foregoing, I hereby ADOPT the Initial Decision, AFFIRM the Agency determination and ORDER the Agency to recoup the overissuance.

**APR 13 2015**

*Signed Copy on File*  
at DFD, BARA

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Natasha Johnson  
Director