



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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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 14567-15 B.H.

AGENCY DKT. NO. C405011. (CAMDEN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Supplemental Nutrition Assistance Program ("SNAP"), f/k/a the Food Stamp Program, benefits, upon recertification. The Agency denied Petitioner SNAP benefits contending that Petitioner was a full-time college student who did not meet any of the criteria necessary to qualify for SNAP benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 22, 2015, the Honorable Lisa James-Beavers, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence. The record remained open until October 29, 2015, for the submission of any additional documentation indicating when Petitioner ceased attending college.

On November 9, 2015, the ALJ issued her Initial Decision, affirming the Agency's determination. The ALJ found that at the time of Petitioner's recertification for SNAP benefits, in June 2015, Petitioner met the definition of a student in an institution for higher learning and was a physically fit person. See Initial Decision at 2, 5; see also N.J.A.C. 10:87-3.14(a). Further, the ALJ found that Petitioner's MED-1 form did not indicate that she was not a physically fit person, as she contended. *Id.* at 4. As a physically fit college student, in order to be eligible for SNAP benefits, Petitioner had to meet at least one of the eight listed criteria set out in N.J.A.C. 10:87-3.14(d). However, the record indicates, and the ALJ found, that Petitioner did not meet any of the listed criteria. *Id.* at 5. Based on the foregoing, the ALJ found that Petitioner

was ineligible for SNAP benefits, effective July 1, 2015, and that the Agency properly denied Petitioner SNAP benefits. Ibid. Of note, the record indicates that Petitioner is currently receiving SNAP benefits, effective August 1, 2015, because she is no longer a college student. Id. at 3; see also Exhibit P-3 at 20.

No Exceptions to this Initial Decision were filed.

As the Director of the Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision and following an independent review of the record, I concur with the ALJ's decision and hereby adopt the Findings of Fact and Conclusion of Law in this matter.

Accordingly, the Initial Decision in this matter is hereby ADOPTED and the Agency's determination is AFFIRMED.

Signed Copy on File

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at DFD, BARA

Natasha Johnson
Director