



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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Elizabeth Connolly
Acting Commissioner

Natasha 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 4893-15 H.D.

AGENCY DKT. NO. C012685 (HUNTERDON COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Agency's termination of Supplemental Nutrition Assistance Program ("SNAP"), f/k/a the Food Stamp Program, benefits. The Agency terminated Petitioner's SNAP benefits due to a failure to cooperate with her work activity requirement. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 28, 2015, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence.

On May 8, 2015, the ALJ issued her Initial Decision, affirming the Agency's determination. The ALJ concluded that Petitioner had been scheduled to attend a mandatory work activity on March 2, 2015, which she failed to attend. See Initial Decision at 3; see also N.J.A.C. 10:87-10.1(a). The Agency representative testified that when Petitioner applied for SNAP benefits on February 9, 2015, Petitioner was scheduled for a March 2, 2015 appointment at the Work Force Learning Link in Flemington. See Initial Decision at 2. At that time, Petitioner was given a form containing written instructions regarding the appointment, and was advised of her obligation to appear at 9:00 a.m. on that date. *Ibid.*; see also Exhibit 4. The Agency representative further testified that, because Petitioner failed to appear at her mandatory work activity appointment, her SNAP benefits were terminated effective April 1, 2015. See Initial Decision at 2; see also Exhibit 1.

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Petitioner testified she was never given a copy of the form regarding the March 2, 2015 Learning Link appointment, but conceded that she was verbally advised by the Agency that she needed to appear for an appointment in March. See Initial Decision at 2. Petitioner further testified that she never contacted the Agency to follow up concerning her obligation to appear in March for the work activity appointment. Ibid.

After considering the documentary and testimonial evidence presented at the hearing, the ALJ found that on February 9, 2015, when Petitioner applied to the Agency for SNAP benefits, Petitioner was provided with paperwork advising her of a March 2, 2015 work activity appointment, and that Petitioner was also advised verbally of this mandatory appointment. See Initial Decision at 3; see also N.J.A.C. 10:87-10.4(a)(SNAP registrant participant must be informed, either orally or in writing, of work activity requirements). Because Petitioner failed to appear at the March 2, 2015 appointment and never followed up with anyone about it, the ALJ concluded that the Agency properly terminated Petitioner's benefits. See Initial Decision at 4; see also N.J.A.C. 10:87-10.4(c)(3)(failure to comply without good cause with employment and training requirements results in disqualification of SNAP applicant). Therefore, the ALJ affirmed the Agency's determination. See Initial Decision at 4.

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 final conclusion and hereby adopt the Findings of Fact and Conclusions of Law in this matter.

Because the Petitioner failed to appear at her mandatory work activity and the Agency appropriately terminated her benefits, the Agency shall impose a 30-day penalty against the Petitioner. See N.J.A.C. 10:87-10.16(1)(first violation results in disqualification of one month, or until individual complies with work registration requirement, whichever is later).

Accordingly, the Initial Decision in this matter is hereby ADOPTED and the Agency action is hereby AFFIRMED.

Signed Copy on File
at DFD, BARA

MAY 18 2015

Natasha Johnson
Director