



MIKIE SHERRILL
Governor

DR. DALE G. CALDWELL
Lt. Governor

STATE OF NEW JERSEY
DEPARTMENT OF THE TREASURY
DIVISION OF PENSIONS AND BENEFITS
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P.O. Box 295
Trenton, NJ 08625-0295
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50 West State Street
Trenton, New Jersey

AARON BINDER
State Treasurer

DAVID RIDOLFINO
Acting Director

October 21, 2026

VIA REGULAR MAIL

Velma Snipes
[REDACTED]

RE: PERS [REDACTED]

Dear Ms. Snipes:

FINAL ADMINISTRATIVE DETERMINATION

I am writing in reference to the decision of the Board of Trustees ("Board") of the Public Employees' Retirement System (PERS) regarding its denial of your application for Accidental Disability retirement benefits. At its meeting on September 21, 2022, the Board denied your application. However, the Board determined that you are totally and permanently disabled from the performance of your regular or assigned work duties as detailed by N.J.S.A. 43:15A-43, and relevant case law, and therefore, granted you Ordinary Disability retirement benefits effective December 1, 2021.

On September 22, 2022, the letter memorializing the Board's determination was mailed to you. The letter explained your appeal rights and the timeframe during which you may file an appeal of the Board's determination, i.e., "45 days after the date of written notice of the determination." Thus, you had until November 7, 2022, to file an appeal of the Board's denial of Accidental Disability retirement benefits.

By letter dated September 18, 2025, three years after you received the Board's decision, you provided the Division of Pension and Benefits (Division) with documentation and appealed the Board's denial of your application for Accidental Disability retirement benefits. On October 2, 2025, the Division notified you that the timeframe to appeal the Board's denial had expired and referred your appeal to the PERS Board of Trustees for consideration.

In an email dated August 6, 2026, you were notified that at its meeting on September 16, 2026, the Board would consider your appeal of the Board's denial of your application for Accidental Disability retirement benefits, which you submitted beyond the 45-day period. At its meeting on September 16, 2026, the Board considered your appeal and found no good cause which would explain why it was not submitted within the 45-day period established under N.J.A.C. 17:1-1.3. Consequently, the Board denied your appeal. Finding no genuine issue of material fact in dispute, the Board denied an administrative hearing and directed the undersigned to draft a Final Administrative Determination.

Findings of Fact and Conclusions of Law as outlined below were presented to and approved by the Board at its October 21, 2026, meeting.

FINDINGS OF FACT

The Board made the following findings of fact:

The record before the Board establishes that on November 10, 2021, you submitted an *Application for Disability Retirement*, requesting a December 1, 2021, Accidental Disability retirement. On November 17, 2021, your employer, the Trenton Psychiatric Hospital, submitted an *Employer Certification for Disability Retirement*, indicating that you resigned on November 30, 2021.

Subsequently, you were evaluated by an Independent Medical Examiner (IME). Upon receipt of the IME's report and a recommendation from the Medical Review Board, your application was placed on the agenda of the Board's September 21, 2022, meeting. At the meeting, following its review of the documentation, the Board determined that you are totally and permanently disabled from the performance of your regular or assigned work duties as detailed by the applicable statute of N.J.S.A. 43:15A-43 and relevant case law.

In making its determination to deny Accidental Disability retirement benefits, the Board noted that you filed your application based on three incidents – [REDACTED], [REDACTED], and [REDACTED]. The Board determined that the incidents were identifiable as to time and place, undesigned and unexpected, and were not the result of your willful negligence. However, the Board found that the [REDACTED], incident did not occur during and as a result of the performance of your regular

or assigned duties. The Board further determined that your disability is not the direct result of the incidents. Rather, the Board found that your disability is associated with [REDACTED]. Additionally, in accordance with the applicable statute, an application for Accidental Disability retirement benefits must be filed within five years of the original traumatic event. The Board may consider an application filed after the five-year period, if it can be factually demonstrated to the satisfaction of the Board that the disability is due to the accident and the member did not file within the five-year period due to delayed manifestation of the disability, or due to circumstances beyond the control of the member. Concerning the [REDACTED], incident, the Board could find no supporting evidence that you failed to file within the requisite five-year period due to either delayed manifestation of your disability or due to circumstances beyond your control. Although the Board denied Accidental Disability retirement benefits, because the Board found you totally and permanently disabled, the Board granted you Ordinary Disability retirement benefits effective December 1, 2021.

On September 22, 2022, a letter outlining the Board's determination was mailed to you. Regarding your rights to appeal the Board's denial of your application for Accidental Disability retirement benefits, the letter included:

If you disagree with the determination of the Board, you may appeal by submitting a written statement to the Board within 45 days after the date of written notice of the determination. The statement shall set forth in detail the reasons for your disagreement with the Board's determination and shall include any relevant documentation supporting your claim. If no such written statement is received within the 45-day period, the determination by the Board shall be final.

The Board shall determine whether to grant an administrative hearing based upon the standards for a contested case hearing set forth in the Administrative Procedure Act, N.J.S.A.52:14B-1 and the Uniform Administrative Procedure Rule, N.J.A.C. 1:1-1 et seq. Administrative hearings shall be conducted by the Office of Administrative Law pursuant to the provisions of N.J.S.A. 52:14B-1 et seq. and N.J.A.C. 1:1-1.

If the granted appeal involves solely a question of law, the Board may retain the matter and issue a final determination, which shall include detailed findings of fact and conclusions of law based upon the documents, submissions and legal arguments of the parties. The Board's final determination may be appealed to the Superior Court, Appellate Division. If the granted appeal involves a question of facts, the Board shall submit the matter to the Office of Administrative Law.

Accordingly, you had until November 7, 2022, to submit an appeal of the Board's denial of your application. Because no such appeal was submitted by that date, the Board's determination became final. However, it was not until three years after you received notice of the Board's denial of your application for Accidental Disability retirement benefits that you appealed that decision, by way of letter dated September 18, 2025, with additional documentation.

Subsequently, the Division notified you that the time during which you could have appealed the Board's denial had expired and that it would refer your late appeal to the PERS Board for review. On August 8, 2026, the PERS Board Secretary notified you that at its meeting on September 16, 2026, the PERS Board would consider your appeal, which was submitted beyond the requisite timeframe established under N.J.A.C. 17:1-1.3.

At its meeting on September 16, 2026, the Board considered your appeal and found that it was not submitted within the 45-day period established under N.J.A.C. 17:1-1.3 and therefore denied your request to appeal its denial of your application for Accidental Disability retirement benefits. Finding no genuine issue of material fact in dispute, the Board directed the undersigned to draft detailed Findings of Fact and Conclusions of Law for review at its October 21, 2026, meeting

CONCLUSIONS OF LAW

The Board made the following conclusions of law:

Appeals of the Board's decisions are governed by N.J.A.C. 17:1-1.3, which states, in pertinent part:

a) The applicant will be given written notice of any decision by the Division, Board or Commission. Said notice shall inform the applicant of the appeal process available in the event the applicant disagrees with the decision of the Division, Board or Commission, including the proper procedure for requesting a hearing.

(b) The decision by the agency shall be final unless the applicant shall file a request for a hearing within 45 days after the date of the written notice of the decision.

...

(d) The following statement shall be incorporated in every written notice setting forth the Division, Board or Commission's determination in a matter where such determination is contrary to the claim made by the claimant or the claimant's legal representative: If you disagree with the determination of

the Board, Commission or Division, you may appeal by submitting a written statement to the Board, Commission or Division Director within 45 days after the date of written notice of the determination. The statement shall set forth in detail the reasons for your disagreement with the Board, Commission or Division's determination and shall include any relevant documentation supporting your claim. If no such written statement is received within the 45-day period, the determination by the Board, Commission or Division shall be final.

...

(Emphasis added.)

The Board's September 22, 2022, letter outlining the Board's determination was mailed to you. The letter explained your appeal rights and the timeframe during which you may file an appeal of the Board's determination, i.e., "45 days after the date of written notice of the determination." Thus, you had until November 7, 2022, to file an appeal of the Board's denial of your application for Accidental Disability retirement benefits. This did not occur. Instead, you did not submit an appeal until September 18, 2025.

Thus, in accordance with N.J.A.C. 17:1-1.3, the language of which is clear and unambiguous, the Board's determination to deny your application for Accidental Disability retirement benefits is final.

As noted above, the Board has considered your written submissions and all documentation in the record. Because this matter does not entail any disputed questions of fact, the Board was able to reach its findings of fact and conclusions of law on the basis of the retirement system's enabling statutes and without the need for an administrative hearing. Accordingly, this correspondence shall constitute the Final Administrative Determination of the Board of Trustees of the Public Employees' Retirement System.

You have the right to appeal this final administrative action to the Superior Court of New Jersey, Appellate Division, within 45 days of the date of this letter in accordance with the Rules Governing the Courts of the State of New Jersey.

All appeals should be directed to:

Superior Court of New Jersey
Appellate Division
Attn: Court Clerk
PO Box 006
Trenton, NJ 08625
Phone: (609) 292-4822

Velma Snipes
October 21, 2026
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Sincerely,

A handwritten signature in black ink, appearing to read "Jeff S. Ignatowicz". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Jeff S. Ignatowicz, Secretary
Board of Trustees
Public Employees' Retirement System

G-11/MER

C: D. Lewis (ET); A. Saco (ET); R. Soto-Irizarry (ET)