



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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TRENTON, NJ 08625-0716

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 09693-18 S.O.

AGENCY DKT. NO. C404039004 (CAMDEN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals the Respondent Agency's sanctioning of Petitioner's Work First New Jersey/General Assistance ("WFNJ/GA") benefits, and termination of Petitioner's Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency sanctioned Petitioner's WFNJ/GA benefits and terminated her SNAP benefits due to her failure to comply with the required work activity. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 19, 2018, the Honorable Jeffrey N. Rabin, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On August 1, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, on August 28, 2017, Petitioner applied and was approved for WFNJ/GA and SNAP benefits. See Initial Decision at 2. Petitioner was granted a deferral from the WFNJ work activity requirements, effective August 31, 2017, through January 31, 2018. See Initial Decision at 2; see also Exhibit R-1 at 8, 10-12. Upon the expiration of Petitioner's deferral, Petitioner was required to attend a scheduled work activity but failed to do so, failed to attend a Comprehensive Social Assessment appointment, and as a result, her WFNJ/GA benefits were sanctioned. See Initial Decision at 5; see also Exhibit R-1 at 13. Thereafter, on March 5, 2018, Petitioner met with the Agency to complete an Individual Responsibility Plan ("IRP") and was referred for a Behavioral Health Initiative ("BHI") assessment after indicating to the Agency that she was experiencing behavioral health issues. See Initial Decision at 3; see also Exhibit R-1 at 14, 56-58. On March 19, 2018, Petitioner completed the BHI assessment and as her WFNJ work activity requirement, she was to participate in outpatient treatment once per week. See Initial Decision at 3; see also Exhibit R-1 at 65. On March 28, 2018, Petitioner attended the scheduled intake session for BHI, and her WFNJ/GA benefits sanction was lifted, but she never returned for her weekly treatment sessions. See Initial Decision at 3; see also Exhibit R-1 at 66. The Agency then notified Petitioner that her WFNJ/GA benefits would again be sanctioned, and that her SNAP benefits would be terminated, if she did not comply by May 9, 2018, with the WFNJ work requirement of attending weekly BHI treatments. *Ibid.*; see also N.J.A.C. 10:90-4.13, -5.15 (b)(1), and N.J.A.C. 10:87-10.15(c). However, Petitioner did not comply, and on June 6, 2018, she was notified that effective July 1, 2018, her WFNJ/GA benefits were sanctioned and her SNAP benefits were terminated, for failing



to comply with the WFNJ work requirement. See Initial Decision at 3; see also Exhibit R-1 at 1-4, 5-7, and N.J.A.C. 10:90-4.13(a), (b)(1) and N.J.A.C. 10:87-10.15(c). -10.16.

The ALJ found that Petitioner never attended her outpatient treatment, that she was given ample time and notice by the Agency to comply, and that she failed to provide proof that she had complied with her required work activity. See Initial Decision at 5, 7. Based on the foregoing, the ALJ concluded that the Agency had properly sanctioned Petitioner's WFNJ/GA benefits, and properly terminated Petitioner's SNAP benefits. See Initial Decision at 8; see also N.J.A.C. 10:90-4.11, -4.13(a); see also N.J.A.C. 10:87-10.15, -10.16. I agree.

No Exceptions to the Initial Decision were filed by either party.

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

By way of comment, in accordance with N.J.A.C. 10:87-10.16(a)(1), Petitioner shall be ineligible for SNAP benefits for a period of one month, or until such time as Petitioner comes into compliance with the work activity requirement, whichever is later.

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

Officially approved final version.

AUG 16 2018

Natasha Johnson
Director

