



## State of New Jersey

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*Governor*

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DIVISION OF FAMILY DEVELOPMENT  
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TRENTON, NJ 08625-0716

NATASHA JOHNSON  
*Assistant Commissioner*

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 **14883-24 E.I.**

AGENCY DKT. NO. **C019917010 (HUNTERDON COUNTY BD. OF SOC. SVCS.)**

Petitioner challenges the correctness of the action by the Respondent Agency to prorate her September 2024 Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency had prorated her September 2024 SNAP benefits because Petitioner did not return the requisite Interim Reporting Form ("IRF") before the deadline as required, but did return the IRF within 30 days of the closure of Petitioner's SNAP benefits case, thereby allowing Petitioner's SNAP benefits case to be reinstated. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 12, 2024, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents into evidence. On November 25, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination.

Exceptions to the Initial Decision were received from Petitioner on December 11, 2024.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, the ALJ's Initial Decision is hereby MODIFIED, and the Agency determination is MODIFIED, based on the discussion below.

Households determined eligible for SNAP benefits are certified for said benefits for a definite period of time. See N.J.A.C. 10:87-6.20. County Social Service Agencies ("CSSAs") assign the longest certification periods possible based upon the predictability of the household's circumstances. Ibid. N.J.A.C. 10:87-9.5(a) states, in pertinent part, "Simplified reporting cases consist of earned income and unearned income households. The certification period is for 12 months with a six-month interim contact." An IRF is sent to the household at the six-month interim contact point for a household with a 12-month certification period. See N.J.A.C. 10:87-9.5(a)(3). The CSSA shall mail the IRF to the SNAP benefits recipient in the fifth month, and if the IRF is not received timely, the case shall go into suspension for a month. See 10:87-9.5(a)(3) (i). If no contact is made or the verification is not received in during the suspension month, the case will close. Ibid. An IRF must be completed in all cases. Ibid. If the recipient's case closes, a new application must be filed by the household in order to receive SNAP benefits. Ibid.

The record in this matter reflects that, in accordance with applicable regulatory authority, on June 3, 2024, the Agency sent Petitioner an Interim Reporting Form ("IRF"). See Exhibit R-1 at 1; see also N.J.A.C. 10:87-9.5(a)(3). Here, the IRF clearly specified that the IRF must be returned by July 15, 2024, or Petitioner's SNAP benefits case would close on September 1, 2024. See Exhibit R-1 at 1. When the IRF had not been returned as directed, on July 18, 2024, Petitioner was sent a reminder notice that the IRF had not been received and must be returned within 10 days. Id. at 2. A second reminder notice was sent to Petitioner on August 19, 2024, advising that the IRF had not been received, and Petitioner's SNAP benefits case would close on September 1, 2024, but that the IRF could be returned within 30 days of the case



closing, otherwise a new application for benefits would be required. Id. at 3. The Agency received the IRF on September 25, 2024, and Petitioner was issued pro-rated SNAP benefits in the amount of \$58 on September 26, 2024. Id. at 7. I do note that the notice mailed to Petitioner on September 26, 2024, see Exhibit R-1 at 6, incorrectly states Petitioner would receive the full monthly benefits amount to cover the period from September 25, 2024, to September 30, 2024. The Agency's notification notice, dated September 26, 2024, is hereby modified to reflect the correct pro-rated amount, as reflected on Exhibit R-1 at 7.

The ALJ in this matter found that the Agency had carried out its regulatory responsibilities to send the IRF, the reminder notice and the closing notice. See Initial Decision at 2, 3; see also N.J.A.C. 10:87-9.5(a)(3). While Petitioner maintained that she never received the IRF, there was no evidence that the address to which the IRF had been sent was incorrect. See Initial Decision at 2, 3. Based on the foregoing, the ALJ concluded that the closure of Petitioner's SNAP benefits case on September 1, 2024, and the reinstatement and pro-rated monthly amount for September 2024 was correct. Id. at 3. While I agree with the ALJ's conclusion in this regard, the "Order" section of the Initial Decision is modified to correct the ALJ's statement that this matter was a denial for failure to provide recertification documentation. Ibid.

By way of comment, I have reviewed the Exceptions submitted by Petitioner and find that the arguments made therein do not alter my decision in this matter.

Accordingly, the Initial Decision in this matter is MODIFIED, and the Agency's determination is hereby MODIFIED, as outlined above.

Officially approved final version. December 23, 2024

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Natasha Johnson  
Assistant Commissioner

