



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 **10092-24 H.A.**

AGENCY DKT. NO. **C635511007 (ESSEX COUNTY DIVISION OF WELFARE)**

Petitioner appeals from the Respondent Agency's reduction of his Supplemental Nutrition Assistance Program ("SNAP") benefits. Petitioner's SNAP benefits were reduced due to the removal of the medical deduction from the calculation of his monthly SNAP benefit allotment. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 6, 2024 the Honorable Patrice E. Hobbs, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence. On November 20, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination.

Exceptions to the Initial Decision were filed by Petitioner on November 27, 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 ADOPTED, and the Agency determination is AFFIRMED, based on the discussion below.

Here, the record reflects that, in June 2024, the Agency conducted Petitioner's SNAP recertification. See Initial Decision at 2. Thereafter, based upon Petitioner's failure to provide proof of verified medical expenses from an authorized medical practitioner, it was determined that the medical expense deduction was no longer applicable, and it was removed. Ibid. Removal of the medical expense deduction, with all other relevant numbers remaining unchanged, resulted in a reduction of Petitioner's SNAP benefit allotment from \$240 to \$176 per month. Ibid.; see also N.J.A.C. 10:87-6.16. Petitioner had submitted receipts from an online retailer, however, the receipts contained no information regarding what exactly was purchased, nor any information regarding being prescribed from an authorized medical practitioner. See Initial Decision at 2. Following Petitioner's submission of the online receipts, the Agency requested a copy of the Petitioner's prescription(s) or a note from the prescribing physician, information as to the name of the prescribed medication(s), or some other documentation which would validate the online receipts. See Initial Decision at 3. Petitioner refused to provide any verifying information. Ibid.

The ALJ found that, during recertification, deductions from a SNAP household's income are permitted for allowable medical costs as outlined in N.J.A.C. 10:87-5.10(3)(i), which specifically includes "Prescription drugs when prescribed by a licensed practitioner authorized under State law and other over-the-counter medication (including insulin) when approved by a licensed practitioner or other qualified health professional; in addition, costs of medical supplies, sick-room equipment (including rental) or other prescribed equipment are deductible." See N.J.A.C. 10:87-5.10(3)(i)(3). The ALJ found that, in accordance with applicable regulatory authority and the documentary evidence presented, the Agency had been justified in removing the medical expense deduction when calculating Petitioner's SNAP benefit allotment. See Initial Decision at 3; see also Exhibit P-1, and N.J.A.C. 10:87-5.10. Accordingly, the ALJ concluded that the reduction in



Petitioner's SNAP benefits allotment was appropriate, as Petitioner's receipts did not contain the information necessary to determine if the items purchased would qualify as income deductions for purposes of SNAP, and that Petitioner's SNAP benefits allotment was properly calculated. See Initial Decision at 3-4; see also Exhibit P-1, and N.J.A.C. 10:87-6.16. Based on an independent review of the record, I agree.

By way of comment, the Agency notes included in the record, at Exhibit R-1, suggest that a Medicare premium had been removed from the Petitioner's SNAP benefits case. Should Petitioner present proof of allowable medical expenses to the Agency, such as for prescriptions, as outlined above, and/or medical premium payments, the Agency shall reevaluate the application of same as allowable medical expenses, in accordance with regulatory authority, and if applicable, authorize recalculation of Petitioner's SNAP benefits allotment, accordingly.

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

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

Officially approved final version. December 05, 2024

Natasha Johnson
Assistant Commissioner

