



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

SARAH ADELMAN
Commissioner

TAHESHA L. WAY
Lt. Governor

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 **03253-24 K.B.**

AGENCY DKT. NO. **C182641003 (BURLINGTON COUNTY BD. OF SOC. SVCS)**

Petitioner appeals from the Respondent Agency's denial of Supplemental Nutrition Assistance Program ("SNAP") benefits at recertification. The Agency denied Petitioner SNAP benefits at recertification, contending that Petitioner failed to provide requested documentation necessary to determine continued eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. Following a telephonic prehearing conference on April 17, 2024, on May 13, 2024, the Honorable Nicole T. Minutoli, Administrative Law Judge ("ALJ"), held the plenary hearing, took testimony and admitted documents. The record remained open for the Agency to provide a supplemental submission and then closed upon receipt of same on May 14, 2024. On May 28, 2024, the ALJ issued an Initial Decision, reversing the Agency's determination, and remanding the matter back to the Agency.

Exceptions to the Initial Decision were received from the Agency on May 28, 2024.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's Initial Decision, REVERSE the Agency's determination, and REMAND the matter to the Agency, based on the discussion below.

In order to determine eligibility for SNAP benefits, mandatory verification of certain information is required, such as household income, both earned and unearned income. See N.J.A.C. 10:87-2.19, -2.20.

The ALJ in this matter issued a very thorough and comprehensive Initial Decision, outlining the procedural history, providing a detailed factual timeline, and rendering a well thought out analysis, applying law to fact. The ALJ concluded that the Agency had failed to process Petitioner's SNAP benefits application in a timely fashion and in accordance with regulatory authority. See Initial Decision at 7-10. The ALJ further concluded that when the Agency had issued a Request for Contact, on January 18, 2024, it had improperly issued a contemporaneous denial notice. Ibid. Moreover, the ALJ concluded that the Agency had failed to review pages of wage verification that Petitioner had submitted. See Initial Decision at 9; see also Exhibit R-9 at 1. Based on the foregoing, the ALJ ordered that the denial of Petitioner's application for SNAP benefits must be reversed and the matter remanded to the Agency to complete the processing of Petitioner's SNAP benefits application. Ibid. Based on an independent review of the record, I agree. Accordingly, I am remanding this matter back to the Agency for action as follows. The Agency shall evaluate Petitioner's application and submitted documentation for eligibility for SNAP benefits, including the documentation provided on February 9, 2024. The Agency shall expedite the substantive evaluation of Petitioner's application and documentation, and if Petitioner is determined to be eligible for SNAP benefits, Petitioner is to then be provided with retroactive SNAP benefits to January 1, 2024, the effective date of the denial of application. See N.J.A.C. 10:87-8.18; see also Exhibit R-7. Should the substantive



evaluation result in another denial of SNAP benefits, Petitioner may request another fair hearing on that substantive denial. The Initial Decision is modified to reflect these findings.

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

Officially approved final version. June 26, 2024

Natasha Johnson
Assistant Commissioner

