



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 **03745-24 M.S.**

AGENCY DKT. NO. **C855410007 (ESSEX COUNTY DIVISION OF WELFARE)**

Petitioner challenges the Respondent Agency's denial of retroactive Supplemental Nutritional Assistance Program ("SNAP") benefits allotments for the months of February, March and April, 2024. The Agency denied SNAP benefits for those months because Petitioner failed to submit requested documentation necessary to determine continued eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 22, 2024, the Honorable Jude-Anthony Tiscornia, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony and admitted documents. On May 30, 2024, the ALJ issued an Initial Decision, reversing the Agency's denial for retroactive SNAP benefits for February, March and April, 2024.

No Exceptions to the Initial Decision were received from either party.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I hereby ADOPT the Initial Decision, and REVERSE the Agency determination.

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

The record in this matter reflects that Petitioner applied for SNAP benefits in December 2023, and was provided SNAP benefits on an expedited basis. See Initial Decision at 2. Petitioner thereafter provided documentation requested to determine his continued eligibility. Ibid. On January 10, 2024, Petitioner's name came up on the Prison Verification Match System, and as a result, the Agency requested that Petitioner provide proof that he was not incarcerated, and if such proof was not provided, Petitioner's SNAP benefits would terminate. Ibid. Petitioner was unable to locate documents relating to his 2010 prison release in a timely fashion, and the Agency thereafter terminated Petitioner's SNAP benefits effective February 1, 2024. Ibid. While the fair hearing in this matter was pending, Petitioner reached out to the Agency and was able to provide alternate proofs to the Agency, establishing that he was not incarcerated, and accordingly, Petitioner was again approved for SNAP benefits, effective May 1, 2024. Id. at 3. The Agency conceded at the hearing that it was now clear that Petitioner was qualified for SNAP benefits for the months of February, March and April, 2024. Ibid. The ALJ in this matter found that the Agency's failure to advise Petitioner that alternate proofs would be accepted, in lieu of his original 2010 release documents, combined with Petitioner's good faith efforts in providing the alternate proofs, as well as the undisputed fact, and Agency concession, that Petitioner did, in fact, qualify for SNAP benefits during February, March and April, 2024, led to the conclusion that the Agency's denial of the retroactive benefits was improper and must be reversed. Id. at 4. I agree, and therefore direct the Agency to issue Petitioner retroactive benefits for the months of February, March and April, 2024. See N.J.A.C. 10:87-8.18.



Accordingly, the Initial Decision in this matter is ADOPTED, and the Agency's determination is hereby REVERSED.

Officially approved final version. June 26, 2024

Natasha Johnson
Assistant Commissioner

