



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 **06348-24 F.H.**

AGENCY DKT. NO. **C199329020 (UNION COUNTY DIVISION OF SOC. SVCS.)**

Petitioner Agency charges Respondent with committing an intentional program violation ("IPV") of the Supplemental Nutrition Assistance Program ("SNAP.") The Agency asserts that Respondent did not disclose that she was receiving SNAP benefits from another state, while simultaneously receiving SNAP benefits from the State of New Jersey, thus causing Respondent to receive an overissuance of benefits to which she was not entitled. On March 26, 2024, Respondent was properly noticed of the Administrative Disqualification Hearing, the charges against her, and the proposed disqualification penalty, via personal service. See Exhibits P-1 at 17-18, 19-23, P-2 at 4. Because Respondent failed to execute and return the waiver of her right to a hearing, the matter was transmitted to the Office of Administrative Law for a hearing as a contested case. See Exhibit P-2 at 15-16. On May 24, 2024, the Honorable Daniel J. Brown, Administrative Law Judge ("ALJ,") held a telephonic plenary hearing, took testimony, admitted documents. Respondent did not appear for the telephonic hearing, and the matter proceeded ex parte, which is permissible pursuant to our regulatory scheme. See N.J.A.C. 1:10-14.1(d). Respondent was given ten days after the hearing, to explain her failure to appear at the hearing or otherwise submit additional documentation. Respondent did not respond, and nothing was received from Respondent, and the record then closed on June 3, 2024.

On June 4, 2024, the ALJ issued an Initial Decision, which found that the Agency had met its burden in establishing, by clear and convincing evidence, that Respondent had deliberately and intentionally misrepresented information to the Agency, which resulted in Respondent receiving an overissuance of SNAP benefits, to which she was not entitled. See Initial Decision at 5. Specifically, the ALJ found that Respondent intentionally did not disclose to Petitioner Agency that she had moved to the State of Maryland in July, 2020, and had received SNAP benefits from the State of Maryland, while also simultaneously collecting SNAP benefits from the State of New Jersey, during the period of May, 2020, through June, 2021, which resulted in an overissuance of SNAP benefits to Respondent in the amount of \$5,762. Id. at 3, 4, 5; see also Exhibits P-1, P-2, P-3, P-4, P-5, P-6; and N.J.A.C. 10:87-3.2, -3.3.

Because the ALJ also found that Respondent made a fraudulent statement or representation regarding her place of residence in order to receive multiple SNAP benefits, the ALJ concluded that Petitioner is ineligible to participate in the SNAP program for ten years, pursuant to N.J.A.C. 10:87-11.2(e). See Initial Decision at 5-6; see also N.J.A.C. 10:87-3.18.

No Exceptions to the Initial Decision were filed.

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



Accordingly, based upon the foregoing, I hereby ADOPT the Initial Decision in this matter, and ORDER that Respondent is disqualified from receipt of SNAP benefits for a period of ten years. I further ORDER that the Agency is to recoup the overissuance.

Officially approved final version. June 20, 2024

Natasha Johnson
Assistant Commissioner

