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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 02595-18 K.B.

AGENCY DKT. NO. C041146018 (SOMERSET COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's demand for recoupment of an overpayment of Work First New Jersey/ General Assistance ("WFNJ/GA") benefits. The Agency demanded recoupment of the overpayment of WFNJ/GA benefits which resulted from an Agency oversight. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 6, 2018, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On March 14, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's Initial Decision, and AFFIRM the parties' settlement terms.

Here, the parties agreed that as a result of Agency administrative error, Petitioner had received an overpayment of WFNJ/ GA benefits in the amount of \$1,260, and that the Agency had a right to demand a recoupment of those benefits. See Initial Decision at 2; see also "Formal Demand Letter." The record also reflects that there was an overpayment of Supplemental Nutrition Assistance Program ("SNAP") benefits to Petitioner which are currently being repaid through a reduction in Petitioner's monthly SNAP benefits. See Initial Decision at 2.

At the hearing, and on the record, the parties agreed to the terms for the repayment of the \$1,260 overpayment of WFNJ/ GA benefits and the \$1,500 overpayment of Supplemental Nutrition Assistance Program ("SNAP") benefits as follows:

1. The overpayment of the \$1,500 [in SNAP benefits] is currently being recouped through continuing monthly [SNAP] benefits reduced in the amount of \$25 per month.
2. After the recoupment of the \$1,500 [SNAP overpayment] is made, \$25 will be deducted [from Petitioner's monthly SNAP benefits] for [recoupment of] the \$1,260 [WFNJ/GA benefits overpayment,] which is the subject matter of the within appeal.
3. If such recoupment should cease to be collected due to termination of [SNAP] benefits, Petitioner agrees that \$25 per month will remain due and owing from her on such overpayment of SNAP [and WFNJ/GA] benefits.

Ibid.



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Based on the record presented, I affirm the parties' settlement terms, as set forth herein. However, I modify the Initial Decision to reflect that the issue on appeal is the Agency's demand for a recoupment of an overpayment of WFNJ/GA benefits, not a recoupment of an overpayment of SNAP benefits, as stated by the ALJ in the Initial Decision. See Initial Decision at 1-2.

Accordingly, the Initial Decision is hereby MODIFIED, and the parties' settlement terms are AFFIRMED.

Officially approved final version.

**APR 27 2018**

Natasha Johnson

Director

