



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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CAROLE JOHNSON
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TRENTON, NJ 08625-0716

NATASHA JOHNSON
Director

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 08839-18 K.N.

AGENCY DKT. NO. C048502002 (BERGEN COUNTY BD. OF SOC. SVCS.)

Petitioner appeals the Respondent Agency's termination of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's SNAP benefits due to non-compliance with the required work activity. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for July 17, 2018, but was rescheduled at Petitioner's request because of illness. On August 28, 2018, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On September 11, 2018, the ALJ issued an Initial Decision affirming the Agency's determination. Here, Petitioner was scheduled to attend a work training orientation appointment on June 11, 2018, but failed to attend. See Initial Decision at 2; see also Exhibit R-4 at 1. The Agency rescheduled Petitioner to attend the work training orientation appointment on June 25, 2018, but Petitioner failed again to attend on that date. See Initial Decision at 2; see also Exhibit R-4 at 2. Thereafter, the Agency notified Petitioner that she was required to attend the work training orientation appointment on July 16, 2018. See Initial Decision at 2; see also Exhibit R-4 at 3. Petitioner arrived at the orientation appointment on July 16, 2018, with a valid reason for excusal, and was provided with another appointment date of July 19, 2018. See Initial Decision at 2; see also Exhibit R-5 at 1. Petitioner did not attend the orientation appointment on July 19, 2018. See Initial Decision 2. Petitioner acknowledged that she has not completed her work activity requirement, and has stated that she does not intend to comply with the work activity requirement. Id. at 3, 4. Based on the record presented, the ALJ concluded that Petitioner's SNAP benefits were properly terminated for failing to comply with the SNAP work requirement, without good cause, and that Petitioner failed to present evidence that she was exempt from the work/training requirement. Id. at 4; see also N.J.A.C. 10:87-10.2, -10.15. I agree.

No Exceptions to the Initial Decision were filed.



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

By way of comment, only one adjournment may be granted in SNAP fair hearings, which shall not exceed 30 days. See N.J.A.C. 10:87-8.6(a)(4)(i) and N.J.A.C. 1:10-9.1(b). It should be noted that the adjournment in this case extended well beyond the permissible maximum of 30 days.

Accordingly, the Initial Decision in this matter is ADOPTED and the Agency's actions are hereby AFFIRMED.

SEP 20 2018

Officially approved final version.

Natasha Johnson

Director

