



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

TRENTON, NJ 08625-0716

CAROLE JOHNSON
Acting Commissioner

SHEILA Y. OLIVER
Lt. Governor

NATASHA JOHNSON
Director
Tel: (609) 588-2000

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 03436-18 N.C.

AGENCY DKT. NO. C113385015 (OCEAN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's sanctioning of his Work First New Jersey/General Assistance ("WFNJ/GA), and Supplemental Nutrition Assistance Program ("SNAP"), benefits. The Agency sanctioned Petitioner's WFNJ/GA and SNAP benefits due to non-compliance with his work activity. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 3, 2018, the Honorable Edward J. Delanoy, Jr., Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On April 17, 2018, the ALJ issued an Initial Decision affirming the Agency's determination regarding WFNJ/GA benefits. Here, Petitioner signed an Individual Responsibility Plan ("IRP") on November 6, 2017, and was notified that because his work deferral expired on December 19, 2017, he would need to submit a valid MED-1 form by then, or he would be required to attend a work activity. See Initial Decision at 2; see also Exhibits R-4, R-5. Petitioner had submitted a MED-1 form on October 23, 2017, which was not properly executed by the physician, and therefore, was found to be invalid. See Initial Decision at 2-3; see also Exhibit R-5. As a result Petitioner was scheduled for a work activity on February 6, 2018, for which he did not appear. See Initial Decision at 2; see also Exhibits R-2, R-3. As a result, the Agency sanctioned his WFNJ/GA benefits, effective March 1, 2018, which reduced his benefits to zero. See Initial Decision at 1; see also Exhibit R-1. Thereafter, Petitioner submitted a valid MED-1 form on March 28, 2018. See Initial Decision at 2. Petitioner testified that he believed the original October MED-1 form was valid, and as such, that he would receive the unemployable rate for WFNJ/GA benefits. See *id.* at 3. Petitioner further admitted that he signed the IRP, and that he failed to attend the work activity in February. *Ibid.* Based on the testimony presented, the ALJ found that Petitioner was unable to provide good cause for his failure to attend his work activity and, consequently, affirmed the Agency's sanctioning of WFNJ/GA benefits. See Initial Decision at 4-5; see also N.J.A.C. 10:90-4.13(a). 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.

By way of comment, although the transmitted issue of the sanctioning of Petitioner's SNAP benefits was not addressed by the ALJ in the Initial Decision, based on the finding herein that Petitioner neither complied with the work activity, nor provided good cause for not doing so, I find that the Agency's sanctioning of Petitioner's SNAP benefits, for failure to comply with the required work activity, was also proper. See N.J.A.C. 10:87-10.4(c)(3) , -10.20(a).

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

Officially approved final version.

APR 23 2018

Natasha Johnson
Director

