



State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT
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NATASHA JOHNSON
Director
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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 02055-18 N.J.

AGENCY DKT. NO. C065441007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner challenges the correctness of Respondent Agency's calculation of her Supplemental Nutrition Assistance Program ("SNAP") benefits following a reduction of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 1, 2018, the Honorable Ernest M. Bongiovanni, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence.

On March 14, 2018, the ALJ issued an Initial Decision affirming the Agency's calculation of Petitioner's benefits. Here, Petitioner's household income consists of Supplemental Security Income ("SSI") benefits and Retirement, Survivor's, and Disability Insurance ("RSDI") benefits. See Initial Decision at 2. The record further reflects that in August, September and October 2017, Petitioner's SSI benefits amount was listed as \$178 in the Agency's calculations for SNAP benefits. See Exhibit R-2. Petitioner's monthly SNAP benefits for August and September 2017 was \$113, and for October 2017 was \$117. Ibid. In December 2017 and January 2018, the Agency utilized an SSI benefit amount of \$102 in their calculations for Petitioner's SNAP benefits, which resulted in an increase of Petitioner's monthly SNAP benefits to \$151. Ibid. At the hearing, the Agency testified that when it realized that the \$102 in SSI benefits was actually a net amount, after a \$79 recoupment by the Social Security Agency from Petitioner's actual gross SSI benefits of \$181, it then recalculated Petitioner's SNAP benefit amount. See Initial Decision at 2. Using Petitioner's proper gross SSI benefit amount of \$181 in the benefits calculation resulted in a reduction of Petitioner's monthly SNAP benefit amount to \$110. Ibid.; see also Exhibit R-1. Based on the foregoing, the ALJ concluded that the Agency had properly utilized Petitioner's gross SSI benefit amount of \$181 in its calculations, that the calculations submitted by the Agency were correct, and that Petitioner's monthly SNAP benefit amount was properly reduced from \$151 to \$110. See Initial Decision at 3; see also N.J.A.C. 10:87-6.16. 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 reviewed the Initial Decision and having made an independent review of the record in this matter, I hereby adopt the Findings of Fact and Conclusions of Law in this matter.



Accordingly, the Initial Decision in this matter is ADOPTED and the Agency determination in this matter is AFFIRMED.

Officially approved final version.

Natasha Johnson
Director

MAR 23 2018

