



State of New Jersey

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Governor

**DEPARTMENT OF HUMAN SERVICES
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 02112-18 P.M.

AGENCY DKT. NO. C071631011 (MERCER COUNTY BOARD OF SOC. SVCS..)

Petitioner appeals the Respondent Agency's sanctioning of his Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency sanctioned Petitioner's SNAP benefits due to non-compliance with the work activity. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 6, 2018, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record remained open for the submission of supplemental documentation, and after being advised by the Agency that the documentation could not be located, the record then closed on March 20, 2018.

On March 22, 2018, the ALJ issued an Initial Decision affirming the Agency's determination. Here, during Petitioner's recertification for SNAP benefits in September 2017, it was determined that Petitioner was not enrolled in a required work activity, nor was Petitioner currently exempt from same. See Initial Decision at 2, 4. Petitioner had previously been exempted from the work activity in September of 2015, but there was no current documentation to support continued exemption, as required. See Initial Decision at 4; see also N.J.A.C. 10:87-10.2(a)(4). The Agency then scheduled Petitioner for a work activity on November 30, 2017, and was advised that in order to be exempt from the activity, that current medical documentation was required. Ibid. Petitioner did not provide current medical documentation, and on January 19, 2018, the Agency sent Petitioner's wife notice that the household's SNAP benefits would be reduced due to Petitioner's sanction for failing to attend the November 30, 2017, work activity. Ibid.; see also Exhibits R-1 at 3 and R-2, R-3. Petitioner maintained that the prior documentation, dated April 30, 2015, supported a permanent disability and request for the continued exemption. See Initial Decision at 3-4. The ALJ found, however, that the documentation previously provided did not qualify to exempt Petitioner indefinitely, and that Petitioner had not provided the necessary current documentation, despite the Agency's latitude in affording Petitioner additional time to do so. See id. at 5; see also N.J.A.C. 10:87-10.2(a)(4). Based on the foregoing, the ALJ upheld the Agency's sanctioning of Petitioner's SNAP benefits. See Initial Decision at 6. 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.



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

Officially approved final version.

MAR 26 2018

Natasha Johnson
Director

