



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
Commissioner

SHEILA Y. OLIVER
Lt. Governor

NATASHA JOHNSON
Assistant Commissioner

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 12742-19 C.S.

AGENCY DKT. NO. S771579009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's denial of Supplemental Nutrition Assistance Program ("SNAP") benefits on recertification. The Agency denied Petitioner SNAP benefits on recertification due to Petitioner's failure to supply requested documentation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A plenary hearing was scheduled for October 1, 2019, before the Honorable Ernest M. Bongiovanni, Administrative Law Judge ("ALJ"). On October 8, 2019, the ALJ issued an Initial Decision, dismissing Petitioner's appeal.

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 ADOPT the ALJ's Initial Decision and AFFIRM the Agency's determination.

The record in this matter reflects that, on October 1, 2019, Petitioner and the Agency's representative appeared for the scheduled plenary hearing. See Initial Decision at 2. At the commencement of the hearing, Petitioner asserted that she had provided the requested documentation to the Agency, but could not recall the specific date. Ibid. The Agency representative, who produced a copy of the case notes for Petitioner's case, indicated that there was no record of the submitted documentation. Ibid. Thereafter, Petitioner became "suddenly exasperated," left the hearing room and did not return. Id. at 3. The ALJ found that Petitioner's failure to return to the hearing was tantamount to an abandonment of her fair hearing request, and dismissed the case. Ibid.

Based on the foregoing, I find that Petitioner abandoned her fair hearing in this matter and, therefore, the Agency's denial of SNAP benefits to Petitioner on recertification stands, and is thereby affirmed. See Exhibit R-1.

By way of comment, Petitioner is without prejudice to reapply for SNAP benefits, but is reminded that she must provide all documentation requested by the Agency.



Accordingly, the Initial Decision is hereby ADOPTED and the Agency's action is hereby AFFIRMED.

Officially approved final version.

OCT 17 2019

Natasha Johnson
Assistant Commissioner

