



## State of New Jersey

**PHILIP D. MURPHY**  
*Governor*

**DEPARTMENT OF HUMAN SERVICES**  
**DIVISION OF FAMILY DEVELOPMENT**  
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*Lt. Governor*

**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 05497-19 R.A.

AGENCY DKT. NO. C127205011 (MERCER COUNTY BOARD OF SOC. SVCS..)

Petitioner challenges the Respondent Agency's calculation of his Supplemental Nutrition Assistance Program ("SNAP") benefits amount. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 14, 2019, the Honorable Joseph A. Ascione, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On May 17, 2019, the ALJ issued an Initial Decision, affirming the Agency's calculation of Petitioner's SNAP benefits. Here, the record reveals that Petitioner's household consists of one person. See Initial Decision at 2; see also Exhibit R-2. In December 2018, Petitioner became employed, and thereafter, on February 6, 2019, the Agency notified Petitioner that his SNAP benefits would be reduced from \$192 to \$23, effective March 1, 2019, due to the increase in Petitioner's household income. See Initial Decision at 2; see also Exhibit R-1. In accordance with applicable regulatory authority, Petitioner's revised household income, in the amount of \$2,015, was calculated by averaging two bi-weekly paychecks, in the amounts of \$945 and \$915, and then multiplying the averaged total by 2.1667. See Initial Decision at 2; see also Exhibits R-1 at 2, R-3, R-4, and N.J.A.C. 10:87-6.9(d)(1). Based on the record presented, the ALJ affirmed the Agency's calculation of Petitioner's monthly income and concluded that the resultant calculation of Petitioner's SNAP benefit amount was therefore correct. See Initial Decision at 2-3; see also Exhibit R-1, and N.J.A.C. 10:87-6.16. I agree. The ALJ further concluded that, because Petitioner was only entitled to receive \$23 in SNAP benefits in February 2019, but, in fact, had received \$192 in SNAP benefits, Petitioner had received \$169 in overissued SNAP benefits, which must be repaid to the Agency. See Initial Decision at 3; see also Exhibits R-7, R-8, and N.J.A.C. 10:87-11.20. I also 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 ALJ's Initial Decision, and following an independent review of the record, I concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

Additionally, I ORDER and direct that the Agency proceed to recoup the overissuance of SNAP benefits.



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

Officially approved final version.

**MAY 31 2019**

Natasha Johnson

Director

