



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT

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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 17-008343 R.R.

AGENCY DKT. NO. C122375003 (BURLINGTON COUNTY BD. OF SOC. SVCS)

On or about October 30, 2017, Petitioner submitted a request for an Administrative Review to the Division of Family Development, Bureau of Administrative Review and Appeals ("BARA"), contesting the correctness of the Respondent Agency's ("Agency") receipt of his Supplemental Security Income ("SSI") benefits retroactive interim check as recoupment for the public assistance provided to him while he awaited an SSI benefits eligibility determination.

As the Director of the Division of Family Development ("DFD"), Department of Human Services, I reviewed this matter and I hereby AFFIRM the Agency's action.

In order for an Agency to grant public assistance to an individual who has applied, or is about to apply, for SSI benefits, the Agency shall first require that he or she sign the Work First New Jersey/General Assistance ("WFNJ/GA")-30 and WFNJ/GA-30A forms. See N.J.A.C. 10:90-14.5(c) and N.J.A.C. 10:90-1.2(f)(8)(i). These forms pertain to the client's obligation to repay the Agency for assistance, including Emergency Assistance ("EA") and EA/Temporary Rental Assistance ("TRA") benefits, granted during the interim pending the client's SSI initial or post-eligibility benefits entitlement. Additionally, N.J.A.C. 10:90-3.18(a)(2)(i) provides that retroactive SSI benefits payments are subject to recoupment so that the assistance provided during the pendency of the SSI benefits matter can be repaid. Furthermore, a contractual agreement between the State of New Jersey and the Social Security Administration ("SSA") ensures that the SSI benefits interim checks are submitted to the appropriate welfare agency for reimbursement of the individual's welfare benefits. Specifically, N.J.A.C. 10:90-14.5(a) provides that "[a] contractual agreement between the [SSA] and the State of New Jersey provides for reimbursement to DFD for assistance granted to individuals while awaiting an initial SSI eligibility determination[.]"

On May 17, 2019, BARA sent letters to the Agency and Petitioner requesting additional information necessary to complete an Administrative Review. The Agency provided additional requested necessary documentation.



A review of the documents submitted demonstrates that in January of 2017, the SSA issued its decision on Petitioner's application for SSI benefits, finding that Petitioner was eligible for SSI benefits as of April 2016. See "Repayment of Interim Assistance Authorization Work First New Jersey/General Assistance" WFNJ/GA-31 form. As such, Petitioner began receiving monthly recurring SSI benefits payments in February of 2017. Ibid. The record further shows that Petitioner would be entitled to a lump-sum SSI benefits interim payment in the amount of \$4,098.55. See "Summary of Interim Assistance Payments." This amount represents the retroactive SSI benefits payment that Petitioner would have received from the date that Petitioner was declared eligible for SSI benefits, through the period during which he received WFNJ/GA and EA benefits, November 2016. Ibid.

The documents further demonstrate that Petitioner received public assistance from the Agency during the time that he was seeking SSI benefits. See "Summary of Interim Assistance Payments." Specifically, Petitioner was receiving WFNJ/GA cash assistance and EA benefits during the months of June 2016, through November 2016. Ibid. During that time period, Petitioner received \$200.75 in WFNJ/GA cash benefits and \$4,727.50 in EA benefits, for a total of \$4,928.25 in assistance paid by the Agency. Ibid. Since Petitioner received public assistance while his SSI matter was pending, the SSA sent Petitioner's retroactive lump-sum SSI benefits interim check, in the amount of \$4,098.55, directly to the Agency so that it could be reimbursed for part of the assistance it had provided to Petitioner between Petitioner's SSI benefits eligibility date, April of 2016, through the time that Petitioner received WFNJ/GA and EA benefits, November 2016. Ibid.; see also "Authorization for Reimbursement of Initial Supplemental Security Income Payment," WFNJ/GA-30 form (hereinafter, "WFNJ/GA-30 form"). The Agency received the retroactive interim check because Petitioner had signed the WFNJ/GA-30 form on July 7, 2016. See WFNJ/GA-30 form.

Based upon the foregoing, I find that the Agency's recoupment of Petitioner's \$4,098.55 retroactive lump-sum SSI benefits interim check was correct. The documentation in this matter clearly shows that Petitioner received a total of \$4,928.25 in public assistance during the time period that he was seeking SSI benefits eligibility.

Therefore, based upon applicable regulatory authority, and in accordance with documentation signed by Petitioner, acknowledging the responsibility to repay the Agency for the total amount of public assistance received after Petitioner was deemed eligible for SSI benefits, I find that the Agency properly recouped the retroactive lump-sum SSI benefits interim payment of \$4,098.55, and I hereby AFFIRM that action.

Accordingly, the Agency's action is AFFIRMED.

Officially approved final version.

JUN 21 2019

Natasha Johnson

Director

