



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 20-031242 O.C.

AGENCY DKT. NO. S716974009 (HUDSON COUNTY DEPT OF FAM SVCS)

On February 21, 2020, Petitioner submitted a request for an Administrative Review that was received in the Division of Family Development, Bureau of Administrative Review and Appeals ("BARA"). Petitioner contests the correctness of the Respondent Agency's ("Agency") receipt of his Supplemental Security Income ("SSI") benefits interim check as recoupment for the public assistance provided to him while he awaited an SSI benefits eligibility determination.

As Assistant Commissioner, 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 March 3, 2020, BARA sent letters to the Agency and Petitioner requesting additional information necessary to complete an Administrative Review. The Agency responded accordingly. Petitioner did not respond; however, the Agency submitted the requisite documentation to conduct this Administrative Review.



A review of the documents submitted demonstrates that in February of 2020, Petitioner was deemed eligible for SSI benefits retroactive to November 1, 2018. See Repayment of Interim Assistance Authorization, WFNJ/GA-31; see also IA Reimbursement - Details. Since Petitioner had received public assistance while his SSI matter was pending, the SSA sent Petitioner's lump-sum SSI benefits interim check, in the amount of \$12,036.75, directly to the Agency so that it could be reimbursed for the assistance it had provided to Petitioner between Petitioner's SSI benefits eligibility date, November 1, 2018, and the month prior to when Petitioner began receiving his first monthly recurring SSI benefits payment in March 2020. Ibid. The Agency received the interim check because Petitioner had signed an "Authorization for Reimbursement of Initial Supplemental Security Income (SSI) Payment or Initial SSI Post-eligibility Payment," as well as an "Agreement to Repay," on September 23, 2016. See WFNJ/GA-30 and WFNJ/GA-10D forms.

The record demonstrates that, during the period from December 2018, through February 2020, Petitioner received a total of \$16,172.00 in public assistance benefits, including WFNJ/GA cash assistance in the amount of \$3,656.00 and EA benefits in the amount of \$12,516.00, from the Agency. See Summary of Interim Assistance Payments; see also GAAS payment history. The SSI benefits amount Petitioner would have received during that time period, from November 2018, through February 2020, had he been approved at that time, totaled \$12,036.75. See Summary of Interim Assistance Payments. Based upon the foregoing, I find that the Agency's recoupment of Petitioner's \$12,036.75 lump-sum SSI benefits interim check was correct. The documentation in this matter clearly shows that Petitioner received a total of \$16,172.00 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 lump-sum SSI benefits interim payment of \$12,036.75, and I hereby AFFIRM that action.

Accordingly, the Agency's action is AFFIRMED.

MAY 28 2020

Officially approved final version.

Natasha Johnson
Assistant Commissioner

