



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 17675-24 A.G.

AGENCY DKT. NO. C428234004 (CAMDEN-CCBSS)

Petitioner appeals the Respondent Agency's denial of Supplemental Nutrition Assistance Program ("SNAP") benefits for her two step-children. The Agency denied Petitioner's SNAP application because her step-children are active on another SNAP case. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 5, 2025 the Honorable Advia Knight Foster, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence. On February 18, 2025 the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, 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 hereby ADOPT the Initial Decision and AFFIRM the Agency's determination, based on the discussion below.

In cases of joint child custody, either parent may claim a child as a member of their SNAP household, as long as the child resides in the home for a portion of the month. In the event that both parents are participating in SNAP, and both want to claim the child as a part of his or her household, the parent who has the child the greater part of the time shall be the parent to claim the child as a part of his or her SNAP household. However, if the child lives with each parent equally, the parent household that applies first shall be the one to add the child to his or her NJ SNAP household. Under no circumstances shall duplicate participation occur. The child cannot be a part of two SNAP households at the same time. See N.J.A.C. 10:87-2.2(d) and (d)(2).

Here, the record reflects that Petitioner added her newborn son to her SNAP case, and was found eligible to receive SNAP benefits during August 2024 on behalf of her household. See Initial Decision at 2. Petitioner's two step-children, who reside part-time with their biological father at Petitioner's home, were not included in the SNAP household. Ibid. The ALJ found that the Final Judgement of Divorce and Marital Agreement, of February 6, 2018, provides that the biological parents share joint legal custody. See Initial Decision at 3; see also Exhibit R-1. In this matter, the biological mother of both children receives SNAP benefits on behalf of her household, which includes the two children. Ibid. Accordingly, the ALJ concluded that because the biological mother already included the two children in her SNAP household, they cannot be claimed as part of Petitioner's SNAP household, and as such, the Agency's denial of SNAP benefits, on behalf of her two step-children, was proper and must stand. See Initial Decision at 3. I agree.

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



Officially approved final version. March 14, 2025

Natasha Johnson
Assistant Commissioner

