



State of New Jersey

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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 **04217-26 A.A.**

AGENCY DKT. NO. **S992886009 (HUDSON COUNTY DEPT OF FAM SVCS)**

Petitioner appeals from the Respondent Agency's denial of his applications for Supplemental Nutritional Assistance Program ("SNAP") benefits and Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner's applications for benefits due to Petitioner's immigration status. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 20, 2026, and continuing on June 16, 2026, the Honorable William J. Courtney, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On June 22, 2026, the ALJ issued an Initial Decision, reversing the Agency's determinations.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, 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, REVERSE the Agency's determinations, and REMAND the matter to the Agency for action, based on the discussion below.

In order to determine eligibility for WFNJ/GA benefits, mandatory verification of certain information is required. See N.J.A.C. 10:90-2.2. Verification for WFNJ/GA benefits requires the applicant to provide all necessary documentation. See N.J.A.C. 10:90-2.2(a)(5) (stating that "As a condition of eligibility for WFNJ benefits, the applicant shall, subject to good cause exceptions, be required to provide all necessary documentation.").

Here, the record reveals that Petitioner applied for SNAP and WFNJ/GA benefits and on January 29, 2026, the Agency sent denial notifications for both the SNAP and WFNJ/GA applications. See Initial Decision at 2, 5. In evaluating the applications submitted by Petitioner, the Agency conducted a search relevant to Petitioner's citizenship and immigration status and found that Petitioner was in a "Deferred Action Status," which the Agency determined prevented Petitioner from obtaining employment in the United States. See Initial Decision at 2. At the time of the hearing, however, the Agency representative testified that if the Petitioner obtained a work authorization that he may be qualified for benefits. Ibid. Petitioner testified at the hearing that he had provided the Agency with his driver's license, employment paystubs, proof of address, work authorization card, and social security card, which testimony the ALJ found to be credible. Ibid.; see also Exhibit P-1. Based on the foregoing, the ALJ concluded that the Petitioner had produced a work authorization card, as well as a Form I-979C Notice of Action, issued by U.S. Citizenship and Immigration Services, which indicated he was authorized to work, and that the Agency failed to produce any evidence that the Deferred Action Status prevented Petitioner from being employed. See Initial Decision at 2-3; see also Exhibits P-1, P-2. Further, Petitioner produced paystubs from his employer, which runs counter to the contention of the Agency that Petitioner is unable to work in the United States. Ibid.



Based on the foregoing, the ALJ concluded that the Agency had failed to cite any regulatory provision to support the denial of WFNJ/GA benefits and SNAP benefits to Petitioner and that the record was devoid of any evidence indicating the Agency undertook a regulatory analysis when considering Petitioner's eligibility for either type of benefits. See Initial Decision at 3-4; see also N.J.A.C. 10:90-2.10, N.J.A.C. 10:87-3.5 through -3.9. Accordingly, the ALJ found that the Agency's determinations regarding Petitioner's ineligibility for benefits based upon his citizenship status were improper. Ibid. I agree. As such, the ALJ ordered that the matter be remanded to the Agency to conduct a proper analysis as to Petitioner's eligibility for benefits, and to include the proper regulatory basis for any such determination relating to Petitioner's citizenship. See Initial Decision at 5. I agree, and therefore remand this matter to the Agency for further evaluation regarding Petitioner's citizenship and eligibility for benefits. Should the Agency determine that additional documentation or information is required to perform such analysis, Petitioner is to be given reasonable time to respond to any such requests, and the Agency shall expedite such evaluation of his eligibility for benefits.

By way of comment, the Agency is reminded of its responsibilities in representation and presentation of a matter at a plenary hearing before an ALJ, pursuant to N.J.A.C. 10:90-9.12(b) which states, "[t]he county or municipal representative must have knowledge of the matter at issue and must be able to present the agency case, supplying the ALJ with that information needed to substantiate the agency action." Specifically, the Agency failed in this matter to provide documentary evidence of either denial in this matter, which complicated the analysis regarding the Agency's reasons for denial.

Accordingly, the Initial Decision is hereby ADOPTED and the Agency's determinations are hereby REVERSED, and the matter REMANDED, as outlined above.

Officially approved final version. July 16, 2026

Natasha Johnson
Assistant Commissioner

