



State of New Jersey

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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 **02893-26 A.B.**

AGENCY DKT. NO. **S482457014 (MORRIS CO. OFFICE OF TEMP ASSISTANCE)**

Petitioner appeals from the Respondent Agency's termination of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's SNAP benefits contending that she failed to participate in the required work activity. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 19, 2026, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On June 16, 2026, the ALJ issued an Initial Decision, reversing the Agency's determination.

Exceptions to the Initial Decision were received from the Agency on June 24, 2026.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby **REJECT** the ALJ's Initial Decision, and **AFFIRM** the Agency's determination, based on the discussion below.

In order to maintain eligibility for SNAP benefits, able-bodied adults without dependents ("ABAWDS"), unless exempt, are required to participate in a work activity. See N.J.A.C. 10:87-10.20(a). Such regulations were impacted by federal law governing SNAP and ABAWD rules, including H.R. 1 Public Law 119-21 (July 4, 2025), the Fiscal Responsibility Act of 2023 ("FRA"), P.L. 118-5, 7 U.S.C. 2015, and 7 C.F.R. 271.2, 273.7, 273.74, and the termination of New Jersey's federally approved waiver of the ABAWD rules by the United States Department of Agriculture, Food and Nutrition Service. See DFD Instruction ("DFDI") No. 25-11-02 (in effect at the time of the termination in this matter), and supplemented by DFDI No. 26-06-04 (in effect at the time of the issuance of this Final Agency Decision).

Based upon an independent review of the record, Petitioner completed a SNAP recertification interview on July 15, 2025 (for a September, 2025 recertification of benefits), at which time she reported no employment or other income, and no exemptions which would exempt her from the federal ABAWD requirements. See Exhibit R-1. The Agency therefore referred Petitioner to Employment & Training Services ("ETS") for ABAWD compliance on August 9, 2025, and certified her SNAP benefits for three months. See Exhibits R-2, R-3. The notification sent to Petitioner additionally informed her that she would need to apply for recertification no later than November 15, 2025. Ibid.

Subsequently, on August 11, 2025, the Agency sent Petitioner notification indicating that she was subject to the ABAWD Time Limit Rules, whereby she could only receive SNAP benefits for three (3) months during a 3-year period unless she was working or in an allowable activity for at least eighty (80) hours per month. See Exhibit R-4. Following such notice, on August 22, 2025, a referral was received from the ETS Coordinator of Operations indicating that Petitioner was non-



compliant with ABAWD provisions effective October 1, 2025, as she had failed to attend a scheduled phone assessment appointment on August 22, 2025, to be placed in a work activity. See Exhibit R-5.

On October 17, 2025, Petitioner completed a SNAP recertification interview (for a December, 2025 recertification of benefits), at which time she reported no employment or other income, and no exemptions which would exempt her from the federal ABAWD requirements. See Exhibit R-6. Thereafter, on November 13, 2025, the Agency sent Petitioner notification that her SNAP benefits were approved effective December 1, 2025, for a period of three months. See Exhibit R-7. The notification additionally informed Petitioner that she would need to apply for recertification no later than February 15, 2026. Ibid. Petitioner was again referred to ETS for ABAWD compliance. See Exhibit R-8. On November 17, 2025, the Agency sent Petitioner notification indicating that she was subject to the ABAWD Time Limit Rules, whereby she could only receive SNAP benefits for three (3) months during a 3-year period unless she was working or in an allowable activity for at least eighty (80) hours per month. See Exhibit R-9. Petitioner never contacted the Agency or ETS in order to comply with the ABAWD requirements and effective February 1, 2026, Petitioner's SNAP case was closed, due to her failure to comply with the ABAWD provisions.

At the time of the hearing, Petitioner presented information that she had enrolled in a training program and completed approximately 145 hours of training. See Initial Decision at 2. Based upon the documentary evidence presented by Petitioner, the ALJ found that Petitioner substantially complied with the work requirements necessary to maintain SNAP benefits eligibility. Ibid. Accordingly, the ALJ found that Petitioner had satisfied the SNAP ABAWD work requirement, and that the termination of Petitioner's SNAP benefits by the Agency was improper. See Initial Decision at 3.

Respectfully, I disagree. Prior to the fair hearing, Petitioner never submitted any documentation to the Agency nor ETS to verify any attempt at compliance with the ABAWD requirements and, the documentation provided at the time of the hearing evidences screenshots for employment search websites, and does not substantiate that the activities engaged in by Petitioner satisfy the ABAWD requirements, specifically, spending at least 80 hours each month working, volunteering, or participating in approved activities. See Exhibits R-3, R-8. Further, the screenshots of various training programs do not indicate which dates the training was completed, nor if such training satisfies the ABAWD requirements. See Exhibit P-1. Petitioner was advised by the Agency on several occasions regarding the ABAWD work requirements, and failed to comply with the ETS referral, therefore, I find that the Agency's closure of Petitioner's SNAP case was proper and must stand.

By way of comment, the Initial Decision in this matter indicates there were no Exhibits entered on behalf of Petitioner, however, the Exhibits returned to this office with the Initial Decision indicate Petitioner did submit Exhibits, which were marked in the upper right-hand corner as "P-1" and are therefore referenced in this Final Agency Decision as such.

Accordingly, the Initial Decision is hereby REJECT the ALJ's Initial Decision, and the Agency's determinations are AFFIRMED, as outlined above.

Officially approved final version. August 18, 2026

Natasha Johnson
Assistant Commissioner

