



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 **16092-25 K.M.**

AGENCY DKT. NO. **C481327004 (CAMDEN-CCBSS)**

Petitioner challenges the correctness of the Respondent Agency's claim for recovery of Supplemental Nutrition Assistance Program ("SNAP") benefits issued to Petitioner between May, 2024 and December, 2024. The Agency asserts that Petitioner received SNAP benefits to which she was not entitled, thereby resulting in the overissuance of benefits which must be repaid. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 12, 2026, and continuing on June 23, 2026, the Honorable Mary Ann Bogan, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence. On July 7, 2026, the ALJ issued an Initial Decision, affirming the overissuance of SNAP benefits issued to Petitioner.

No Exceptions to the Initial Decision were filed.

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 ALJ's Initial Decision, and MODIFY the Agency determination, based on the discussion below.

SNAP is designed to promote the general welfare and to safeguard the health and well-being of the population by raising the levels of nutrition among low-income households. See N.J.A.C. 10:87-1.1(a). In the instance of an overpayment of benefits, the Agency must recoup the overissuance. See N.J.A.C. 10:87-11.20. One type of overpayment which is subject to recoupment is one which results from "a misunderstanding or unintended error on the part of the household" receiving benefits, called an "Inadvertent Household Error" ("IHE"). See N.J.A.C. 10:87-11.20(e)(2). Another type of overpayment which is subject to recoupment is one which results from "an action or failure to take action by the [Agency]," called an "Agency Error" ("AE"). See N.J.A.C. 10:87-11.20(e)(3). Repayment of overissuances may be sought for amounts going back six years prior to the time that the Agency becomes aware of the overpayment. See N.J.A.C. 10:87-11.20(f)(1)(i); see also 7 C.F.R. 273.18.

Here, the ALJ found that on April 12, 2024, Petitioner provided the Agency with a completed Interim Reporting Form ("IRF"), which indicated that she had returned to full-time employment and included her earnings information. See Initial Decision at 2; see also Exhibits P-1, R-1. The IRF, however, was not reviewed by the Agency for many months and the assigned Agency caseworker did not meet with Petitioner until December, 2024, at which time the Agency caseworker asserted that the Agency had just been made aware of a change in income; however, the IRF plainly indicated that Petitioner had advised the Agency eight months prior on her IRF. Ibid. At some point in time, the SNAP overissuance claim was transferred as a debt and Petitioner's 2025 gross income tax return was intercepted, however, at the time of the hearing, it was determined that the Agency had relinquished the lien and the tax return monies were returned to



Petitioner. See Initial Decision at 3; see also Exhibit R-1. Further, on June 22, 2026, Petitioner received an Over Issuance Summary dated June 12, 2026, which indicated that an adjustment had been made by the Agency and the final claim balance for her was \$54, which, at the time of the hearing, the Agency representative testified was sent in error and should be disregarded. Ibid.

Based on the foregoing, the ALJ found that Petitioner had completed and promptly returned the IRF in April, 2024, which indicated that she was employed and updated her income information, however, the IRF processing was delayed, inexplicably, for many months, to the detriment of Petitioner. See Initial Decision at 3-4. Taking into consideration all of the circumstances in this matter, the ALJ found that the Agency committed multiple agency errors. See Initial Decision at 4. The record in this matter reveals that Petitioner had received an overissuance of SNAP benefits from May, 2024 through December, 2024, due to the Agency's delayed entering of Petitioner's earned income. See Initial Decision at 4; see also Exhibit R-1. Upon the Agency entering Petitioner's correct amount of income in December, 2024, it was determined that Petitioner had been issued the incorrect amount of SNAP benefits for the period in question. Ibid. The ALJ in this matter found that, as the result of an AE, rather than an IHE, more specifically, the Agency's delay in entering Petitioner's earned income, Petitioner received an overissuance of SNAP benefits in the amount of \$4,283 for the period beginning May, 2024, through December, 2024. See Initial Decision at 4-5; see also Exhibit R-1. The ALJ further found that, in accordance with applicable regulatory authority, when an overpayment is discovered by the Agency, whereby a SNAP benefits recipient received benefits to which they were not entitled, the overissuance must be repaid, regardless of fault. See Initial Decision at 4-5; see also N.J.A.C. 10:87-11.20. Accordingly, the ALJ concluded that Petitioner was overissued SNAP benefits to which she was not entitled during the time period claimed, and as such, the Agency is entitled to recoup, and Petitioner must repay, the overissuance of SNAP benefits to which she was not eligible to receive. See Initial Decision at 5; see also N.J.A.C. 10:87-11.20(b), (e)(3), see also 7 C.F.R. 218. I agree and am modifying the Agency determination in this matter to reflect that the overpayment occurred due to an AE, rather than an IHE.

I ORDER and direct that the Agency proceed to recoup the overissuance.

Accordingly, the Initial Decision in this matter is ADOPTED, the Agency's determination is MODIFIED, as outlined above.

Officially approved final version. July 30, 2026

Natasha Johnson
Assistant Commissioner

