

procedures for the suspension, debarment, and/or disqualification of a provider in order to exclude or render ineligible certain persons or entities, as defined in the rule, from contracting or subcontracting with DFD. The section provides 25 specific causes, including: the commission of State and Federal crimes involving a public or private contract, the willful failure to perform in conformance with the contract, or any cause of a serious and compelling nature that indicates a lack of responsibility by the provider. The decision to exclude a provider from contracting with DFD is within the discretion of the Director of DFD, unless otherwise required by law.

N.J.A.C. 10:84-2.2 Withholding of Provider Payments

This section provides for the withholding of provider payments when DFD receives reliable evidence of theft, fraud, willful misrepresentation, or tampering with records by a provider.

N.J.A.C. 10:84-2.3 Provider Reinstatement

This section provides the process for provider reinstatement to the DFD contracting process after a period of exclusion. The Director of DFD may order the reinstatement of a suspended, debarred, or disqualified provider or refer the matter to the Commissioner of the Department of Human Services for consideration.

(a)

**HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT**

**Notice of Readoption
Families First Program**

Readoption: N.J.A.C. 10:88

Authority: N.J.S.A. 30:1-12.

Authorized By: Sarah Adelman, Acting Commissioner, Department of Human Services.

Effective Date: July 12, 2021.

New Expiration Date: July 12, 2028.

Take notice that, in accordance with N.J.S.A. 52:14B-5.1, N.J.A.C. 10:88 was scheduled to expire on August 22, 2021. Pursuant to Executive Order Nos. 127 (2020) and 244 (2021) and P.L. 2021, c. 104, any chapter of the New Jersey Administrative Code that would otherwise have expired during the Public Health Emergency originally declared in Executive Order No. 103 (2020) is extended through January 1, 2022. Therefore, this chapter has not yet expired and the 30-day filing date pursuant to N.J.S.A. 52:14B-5.1.c has not yet occurred, therefore, pursuant to Executive Order No. 244 (2021), and P.L. 2021, c. 104, this notice of readoption is timely filed.

The Division of Family Development has reviewed the rules and has determined them to be necessary, reasonable, and proper for the purpose for which they were promulgated, as required by Executive Order No. 66 (1978). Therefore, pursuant to N.J.S.A. 30:1-12 and in accordance with N.J.S.A. 52:14B-5.1.c(1), these rules are readopted and shall continue in effect for a seven-year period from the date of filing.

The following is a description of the subchapters of N.J.A.C. 10:88.

N.J.A.C. 10:88-1, General Provisions, establishes the purpose and scope of the Families First Program and recognizes the Electronic Benefits Transfer (EBT) card as the mandatory method for the issuance of Temporary Assistance for Needy Families (TANF) benefits, New Jersey Supplemental Nutrition Assistance Program (NJ SNAP) benefits, General Assistance (GA) benefits, and child support bonus payments to eligible households. The subchapter also provides the authority for the operation of the Families First Program, provides guidance for the properties of Families First accounts, and defines terms that are used throughout the chapter.

N.J.A.C. 10:88-2, Recipient Training, establishes county welfare agency responsibilities for training recipients on EBT card usage, and addresses the process by which Families First cards are issued to eligible households. Additionally, Subchapter 2 addresses card issuance and the process for selecting a personal identification number (PIN).

N.J.A.C. 10:88-3, Card Utilization, establishes the process for accessing and spending NJ SNAP and cash assistance benefits through the Families First card. The subchapter addresses transaction fees, designation of authorized representatives and payees, staggered issuances of benefits, and the use of non-traditional food retailers. Additionally, the subchapter addresses benefit issuances related to certain authorized institutions, communal dining facilities, Meals on Wheels, adjustments to Families First NJ SNAP accounts, and penalties for inappropriate use of Families First cards.

N.J.A.C. 10:88-4, Inactive Accounts (Aging), addresses the process of aging and the expungement of inactive NJ SNAP and cash benefits, detailing the aging process and addressing how households can access aged benefits.

N.J.A.C. 10:88-5, Replacement of Benefits and Cards, addresses the replacement of benefits, replacement of lost or stolen EBT cards, and PIN re-selection.

N.J.A.C. 10:88-6, Fiscal Procedure, addresses NJ SNAP card replacement fees, the use of Families First benefits to repay NJ SNAP claims, crediting aged Family First cash benefits on county welfare agency fiscal reports, and provides procedures for the security and control of Families First cards.

CORRECTIONS

(b)

STATE PAROLE BOARD

Parole Board Rules

Division of Parole Rules

Readoption with Amendments: N.J.A.C. 10A:72

Adopted Repeals and New Rules: N.J.A.C. 10A:71-3.22, 7.6, 7.10, and 7.11; and 10A:72-4.11 and 5.9

Adopted Amendments: N.J.A.C. 10A:71-1.1, 1.2, 1.4, 1.5, 1.10, 2.10, 3.1, 3.2, 3.3, 3.5, 3.7, 3.8, 3.12, 3.15, 3.16, 3.21, 3.48, 3.49, 3.50, 3.54, 4.1, 5.1, 5.2, 5.7, 5.8, 6.1, 6.3, 6.4, 6.5, 6.6, 6.9, 6.10, 6.11, 6.12, 7.2, 7.3, 7.7, 7.9, 7.12, 7.13, 7.15, 7.16, 7.17B, 7.18, and 7.19A

Adopted New Rules: N.J.A.C. 10A:71-2.12 and 6.14; and 10A:72-15

Adopted Repeals: N.J.A.C. 10A:71-3.23 through 3.33, 3.57, 7.17, and 7.17A

Proposed: February 16, 2021, at 53 N.J.R. 211(a).

Adopted: May 26, 2021, by the New Jersey State Parole Board, Samuel J. Plumeri, Jr., Chairman.

Filed: July 23, 2021, as R.2021 d.090, **without change**.

Authority: N.J.S.A. 30:4-123.48.d.

Effective Dates: July 23, 2021, Readoption; August 16, 2021, New Rules, Repeals, and Amendments.

Expiration Dates: March 19, 2025, N.J.A.C. 10A:71; July 23, 2028, N.J.A.C. 10A:72.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 10A:72 were scheduled to expire on June 3, 2021, as the State Parole Board timely filed a notice of proposal to readopt the chapter. Pursuant to Executive Order Nos. 127 (2020) and 244 (2021) and P.L. 2021, c. 104, any chapter of the New Jersey Administrative Code that would otherwise have expired during the Public Health Emergency originally declared in Executive Order No. 103 (2020) is extended through January 1, 2022. Therefore, this chapter has not yet expired and, pursuant to Executive Order No. 244 (2021), and P.L. 2021, c. 104, this notice of readoption is timely filed.