



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 00506-18 S.L.

AGENCY DKT. NO. C039269002 (BERGEN COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA"), and Supplemental Nutrition Assistance Program ("SNAP"), benefits. The Agency denied Petitioner WFNJ/GA benefits contending that she failed to complete outpatient substance abuse treatment, and denied SNAP benefits contending Petitioner failed to cooperate with the Agency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 30, 2018, the Honorable Thomas R. Betancourt, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On February 2, 2018, the ALJ issued an Initial Decision, affirming in part and reversing in part the Agency's determination. Here, the record reflects that on November 6, 2017, Petitioner applied for WFNJ/GA and SNAP benefits. See Initial Decision at 2; see also Exhibit R-1. Petitioner was denied WFNJ/GA benefits that day, due to her failure to comply with a previous Substance Abuse Initiative ("SAI") assessment in July 2017. *Ibid.* At the hearing, Petitioner testified that she appeared for an appointment with her SAI coordinator on November 28, 2017, but left prior to the appointment. See Initial Decision at 3; see also Exhibit R-1 at 4, and Exhibit R-2. Based on the foregoing, the ALJ found that the Agency's denial of WFNJ/GA benefits was proper because Petitioner had not completed the required SAI assessment, and therefore, had not complied with her WFNJ/GA benefits requirements. See Initial Decision at 3-4; see also Exhibit R-1, and N.J.A.C. 10:90-4.8(d). I agree.

With regards to Petitioner's SNAP benefits application, the Agency denied Petitioner SNAP benefits, effective December 6, 2017, for failure to cooperate with the Agency. See Exhibit R-1 at 8. The ALJ found, however, that there was no documentation or testimony provided by the Agency to support this denial. See Initial Decision at 2. As there was no evidence to support the Agency's claim that Petitioner had failed to cooperate, the ALJ reversed the Agency's denial of SNAP benefits. See Initial Decision at 4; see also Exhibit R-1, and N.J.A.C. 10:87-2.14. I also agree. Moreover, I note that the Agency's case notes show that Petitioner completed the required work activity, for receipt of SNAP benefits, on December 11, 2017. See Exhibit R-1 at 5.

No Exceptions to the Initial Decision were received.

As the Director of the 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 concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

By way of comment, Petitioner is without prejudice to reapply for WFNJ/GA benefits, if she has not already done so, but is reminded that she will need to comply with all requirements as set forth by the Agency.



Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is AFFIRMED in part, as to the denial of WFNJ/GA benefits, and REVERSED in part, as to the denial of SNAP benefits.

FEB - 9 2018

Officially approved final version.

Natasha Johnson

Director

