



*State of New Jersey*

**DEPARTMENT OF HUMAN SERVICES**

Division of Family Development  
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TRENTON, NEW JERSEY 08625

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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 5009-15 A.G.

AGENCY DKT. NO. C132095 (PASSAIC COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of his application for Supplemental Nutrition Assistance Program ("SNAP"), f/k/a the Food Stamp Program, benefits. The Agency denied Petitioner's application for benefits as it contended that Petitioner was a full-time college student who did not meet any of the permitted exclusions for eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was first scheduled for May 28, 2015, but was adjourned at the request of Petitioner due to a schedule conflict. On June 19, 2015, the Honorable Irene Jones, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On June 30, 2014, the ALJ issued her Initial Decision, affirming the Agency's determination. The ALJ found that pursuant to N.J.A.C. 10:87-3.14(d)(8), Petitioner was not eligible to receive SNAP benefits because, while Petitioner was enrolled as a full-time student and had a stepson under the age of 12, the natural mother of the child resided in the home. See Initial Decision at 3. As such, Petitioner was not a single parent of a dependent child under the age of 12, and eligibility was thereby precluded. See *id.* at 3-4.

No Exceptions to this Initial Decision were filed.

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 decision and hereby adopt the Findings of Fact and Conclusion of Law in this matter.

By way of comment, the record indicates that Petitioner also requested a fair hearing

contesting the denial of Medicaid benefits. It should be noted, however, that the Medicaid program is not under the jurisdiction of this Division. However, a copy of the Initial and Final Decision will be forwarded to the Division of Medical Assistance and Health Services ("DMAHS") for review and resolution.

Accordingly, the Initial Decision in this matter is hereby ADOPTED and the Agency's determination is AFFIRMED.

*Signed Copy on File*  
at DFD, BARA

**JUL - 8 2015**

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Natasha Johnson  
Director