



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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Chris Christie
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Kim Guadagno
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Elizabeth Connolly
Acting Commissioner

Nalasha Johnson
Director

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 1257-15 C.L.

AGENCY DKT. NO. C635382 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner challenges the correctness of Respondent Agency's reduction of her Supplemental Nutrition Assistance Program ("SNAP"), f/k/a the Food Stamp Program, benefits. The Agency maintains that Petitioner's SNAP benefits were reduced due to the earned income of Petitioner's daughter, a member of the household. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 23, 2015, the Honorable Tiffany M. Williams, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On March 24, 2015, the ALJ issued her Initial Decision which affirmed the Agency's calculation of Petitioner's benefits.

No exceptions to the Initial Decision were filed.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the Initial Decision and having made an independent review of the record in this matter, I hereby ADOPT the Initial Decision and AFFIRM the Agency's determination.

The SNAP Program 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 order to determine an applicant's eligibility for SNAP, the applicant's income and resources must be below a certain threshold. N.J.A.C. 10:87-6.16 outlines the procedures used to calculate

net income and benefit levels for SNAP recipients. The regulation provides that the applicant's monthly net income is determined by adding together all earned and unearned income, then subtracting all income exclusions. Then, the standard deduction based upon the size of the household, is subtracted from income. Thereafter, the household is evaluated to determine if a medical deduction is appropriate, which is if the household has medical expenses that exceed \$35.00. If the household is entitled to a medical deduction, then the amount in excess of \$35.00 is subtracted from the applicant's income. Then, the applicant is evaluated for an excess shelter deduction. Such a deduction is permitted when the individual's shelter costs exceed 50% of their net income. If this deduction is allowable, then the difference between the shelter costs and the 50% net income is subtracted from the individual's income. The remaining figure is Petitioner's net income. This net income is then compared to the table outlined at N.J.A.C. 10:87-12.3 to determine the amount of SNAP benefits that the Petitioner is entitled to receive.

Based upon an independent review of the record, I concur with the ALJ's conclusion that the Agency's calculations are correct.

By way of comment, if Petitioner incurs separate utility expenses, such as heating/cooling, electric/gas, sewer or telephone expenses, or shelter costs, such as rent, and can provide proof of those expenses to the Agency, Petitioner may be entitled to additional deductions which could affect the amount of SNAP benefits received by the household.

Accordingly, based upon the foregoing, I hereby ADOPT the Initial Decision and AFFIRM the Agency determination.

APR - 6 2015

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director