



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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Chris Christie
Governor

Kim Guadagno
Lt. Governor

Elizabeth Connolly
Acting Commissioner

Natasha 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 6353-15 M.F.

AGENCY DKT. NO. C212997 (BERGEN COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's denial of her application for Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF"), Emergency Assistance ("EA") and Supplemental Nutrition Assistance Program ("SNAP"), f/k/a Food Stamps, benefits. The Agency denied Petitioner's application for WFNJ/TANF, EA and SNAP benefits due to Petitioner's failure to provide information and documentation necessary to determine eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 7, 2015, the Honorable Kelly J. Kirk, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On May 8, 2015, the ALJ issued her Initial Decision, affirming the Agency's determination. The ALJ noted that the credible evidence presented clearly supported the Agency's determinations in this matter. With respect to WFNJ/TANF benefits, the ALJ stated that Petitioner failed to provide the Agency with necessary information to verify income, and the documentation that Petitioner had presented "was questionable." See Initial Decision at 6-7. In regard to EA benefits, the record revealed that Petitioner had received almost \$7,000 in tax refunds, clearly sufficient to avoid eviction, yet Petitioner had failed to utilize those funds to pay her rent. See *id.* at 7. Finally, addressing the Agency's denial of SNAP benefits, the ALJ noted that the household has the responsibility to provide documentary evidence to support its application for benefits and resolve all questionable information. See *id.* at 8. Again noting that the documentation provided by Petitioner was questionable, combined with the finding that Petitioner's testimony in all respects was not credible, the ALJ concluded that the Agency's denial of WFNJ/TANF, EA and SNAP benefits was proper. See *id.* at 9.

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No Exceptions to the Initial Decision were filed by either party.

As the Director of the Division of Family Development, Department of Human Services, I have considered the record in this matter and the ALJ's Initial Decision and 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, I note that the Petitioner testified that she is a victim of domestic violence but indicated that there is not presently a problem with domestic violence and that she does not request any relief from WFNJ requirements at this time. Initial Decision at 5. Should Petitioner's pending application for WFNJ be approved, see Initial Decision at 3, and her circumstances change, she is reminded that she may request relief from the WFNJ requirements at any time, and the Agency will refer her for a Family Violence Option risk assessment in accordance with N.J.A.C. 10:90-20.1 et seq.

Finally, the ALJ also opines on the Agency's denial of Medicaid benefits. See id. It should be noted, however, that the Medicaid program is not under the jurisdiction of this Division. 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 ADOPTED and the Agency's actions are hereby AFFIRMED.

Signed Copy on File

at DFD, BARA

MAY 18 2015

Natasha Johnson
Director