



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
P.O. Box 716
TRENTON, NEW JERSEY 08625
(609) 588-2400

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 3420-15 M.M.

AGENCY DKT. NO. C074911 (ATLANTIC CO. DEPT OF FAM. & COM. DEV)

Petitioner challenges the correctness of Respondent Agency's reduction in his 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 a recent change in Petitioner's expenses. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On April 7, 2015, the Honorable Bruce M. Gorman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence. On April 15, 2015, the ALJ issued his Initial Decision, affirming the Agency's determination.

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 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.

Having conducted an independent review of the record, I concur with the Agency's calculations to arrive at the present SNAP benefit amount of \$16. See Exhibit R-1 at 1; N.J.A.C. 10:87-6.16.

I take official notice of the fact that Petitioner asserts the same argument as he had during a prior appeal in OAL Docket number HPW 13337-14, decided November 28, 2014. See N.J.A.C. 1:1-15.2(a) and N.J.R.E. 201(b)(4). Namely, that Petitioner

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claims "he [is] being penalized for surrendering his Medicare Plan B benefits," and stating that "he used the monthly [SNAP] benefit to pay his medical expenses, [thereby demanding] that the prior benefit be restored." See Initial Decision at 2. However, it is due to a lack of current medical expenses that the medical deduction was removed from the calculation to determine the correct SNAP benefit amount. As correctly pointed out by the ALJ, that assertion was adjudicated in Petitioner's prior case, and no new argument has been asserted by Petitioner in the present matter. See *id.* at 3.

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

Signed Copy on File
at DFD, BARA

APR 22 2015

Natasha Johnson
Director