

CHAPTER 87

FOOD STAMP MANUAL

Authority

N.J.S.A. 30:1-12.

Source and Effective Date

R.2009 d.94, effective February 19, 2009.
See: 40 N.J.R. 5932(a), 41 N.J.R. 1245(b).

Chapter Expiration Date

Chapter 87, Food Stamp Manual, expires on February 19, 2014.

Chapter Historical Note

Chapter 87, Food Stamp Manual, was adopted as R.1969 d.22, effective December 3, 1969. See: 1 N.J.R. 14(a), 1 N.J.R. 30(b).

Chapter 87, Food Stamp Manual, was readopted as R.1972 d.177, effective September 8, 1972. See: 4 N.J.R. 187(a), 4 N.J.R. 239(a).

Chapter 87, Food Stamp Manual, was readopted as R.1975 d.350, effective January 1, 1976. See: 7 N.J.R. 363(b), 7 N.J.R. 567(d).

Chapter 87, Food Stamp Manual, was readopted as R.1979 d.29, effective March 1, 1979. See: 10 N.J.R. 537(b), 11 N.J.R. 76(a).

Pursuant to Executive Order No. 66(1978), Chapter 87, Food Stamp Manual, was readopted as R.1984 d.68, effective March 1, 1984. See: 15 N.J.R. 2134(b), 16 N.J.R. 550(a).

Pursuant to Executive Order No. 66(1978), Chapter 87, Food Stamp Manual, was readopted as R.1989 d.121, effective January 27, 1989. See: 20 N.J.R. 2689(a), 21 N.J.R. 511(b).

Public Notice: Change in standards for food stamp income eligibility. See: 23 N.J.R. 3030(a).

Pursuant to Executive Order No. 66(1978), Chapter 87, Food Stamp Manual, was readopted as R.1994 d.42, effective December 21, 1993. See: 25 N.J.R. 4697(b), 26 N.J.R. 377(a).

Public Notice: Change in standards for food stamp income eligibility, deduction, and coupon allotment standards. See: 29 N.J.R. 4346(a).

Subchapter 13, New Jersey State Food Stamp Program, was adopted as Emergency New Rules by R.1997 d.402, effective August 29, 1997, operative September 1, 1997, to expire October 28, 1997. See: 29 N.J.R. 4191(a). The provisions of R.1997 d.402 were readopted as R.1997 d.505, effective October 28, 1997. See: 29 N.J.R. 4191(a), 29 N.J.R. 5063(b).

Pursuant to Executive Order No. 66(1978), Chapter 87, Food Stamp Manual, was readopted as R.1999 d.6, effective December 8, 1998. See: 30 N.J.R. 3451(a), 31 N.J.R. 69(a).

Chapter 87, Food Stamp Manual, was readopted as R.2004 d.181, effective April 5, 2004. See: 36 N.J.R. 28(a), 36 N.J.R. 2425(a).

Chapter 87, Food Stamp Manual, was readopted as R.2009 d.94, effective February 19, 2009. As a part of R.2009 d.94, Subchapter 9, Certification Related Procedures, was renamed Certification-Related Procedures, effective March 16, 2009. See: Source and Effective Date. See, also, section annotations.

Subchapter 4, Financial Eligibility; Resources, was repealed and Subchapter 4, Resource Applicability, was adopted as new rules by R.2010 d.027, effective January 19, 2010. See: 41 N.J.R. 3190(a), 42 N.J.R. 482(b).

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. GENERAL PROVISIONS

- 10:87-1.1 Purpose of the Food Stamp Program
- 10:87-1.2 Administration of the Program
- 10:87-1.3 Legal basis of the Program
- 10:87-1.4 Program informational activities
- 10:87-1.5 Purpose of the New Jersey Food Stamp Manual
- 10:87-1.6 The concept of reasonable certainty; situations not covered by the manual
- 10:87-1.7 Assignment of manual
- 10:87-1.8 Responsibility of manual holders
- 10:87-1.9 Retention of obsolete material
- 10:87-1.10 Public access to the manual
- 10:87-1.11 Policy of nondiscrimination
- 10:87-1.12 Complaint procedures
- 10:87-1.13 Public Notification Plan
- 10:87-1.14 Confidentiality and disclosure of information
- 10:87-1.15 Public access to information
- 10:87-1.16 Appeals
- 10:87-1.17 Suits against county
- 10:87-1.18 (Reserved)

SUBCHAPTER 2. THE APPLICATION PROCESS

- 10:87-2.1 The household concept
- 10:87-2.2 Household defined
- 10:87-2.3 Nonhousehold members, boarders and excluded household members
- 10:87-2.4 Residents of institutions and homeless individuals defined
- 10:87-2.5 Boarding home/house
- 10:87-2.6 Head of household
- 10:87-2.7 Authorized representatives
- 10:87-2.8 Nonhousehold member as authorized representative
- 10:87-2.9 Documentation of authorized representative
- 10:87-2.10 Restrictions on authorized representatives
- 10:87-2.11 Application for food stamps
- 10:87-2.12 Food stamp application form
- 10:87-2.13 Filing an application
- 10:87-2.14 Household cooperation
- 10:87-2.15 Denial of eligibility for non-cooperation
- 10:87-2.16 Subsequent refusal to cooperate
- 10:87-2.17 Refusal to cooperate with Quality Control reviews
- 10:87-2.18 Interview process
- 10:87-2.19 Mandatory verification
- 10:87-2.20 Verification of questionable information
- 10:87-2.21 Verification of Social Security and/or SSI using SDX/BENDEX
- 10:87-2.22 Sources of verification
- 10:87-2.23 Documentation
- 10:87-2.24 Verification subsequent to initial certification
- 10:87-2.25 Denial of the application
- 10:87-2.26 Normal processing standard
- 10:87-2.27 Delays in processing
- 10:87-2.28 Expedited service
- 10:87-2.29 Expedited service processing standards
- 10:87-2.30 Special procedures for expediting service
- 10:87-2.31 WFNJ/TANF eligibility determination (PA households)
- 10:87-2.32 Categorically eligible WFNJ/TANF/SSI households
- 10:87-2.33 Procedures for SSI jointly processed households
- 10:87-2.34 Elderly or disabled household members
- 10:87-2.35 Categorically eligible WFNJ/GA households
- 10:87-2.36 Expanded categorical eligibility
- 10:87-2.37 through 10:87-2.39 (Reserved)

SUBCHAPTER 3. ELIGIBILITY FACTORS OTHER THAN NEED

- 10:87-3.1 Applicability
- 10:87-3.2 Residency in the county

- 10:87-3.3 Determination of residency
- 10:87-3.4 Recording applicant's address
- 10:87-3.5 Citizenship or permanent alien status
- 10:87-3.6 U.S. citizen defined
- 10:87-3.7 Eligible alien
- 10:87-3.8 Eligible aliens defined
- 10:87-3.9 Ineligible aliens
- 10:87-3.10 Income and resources of ineligible aliens and individuals whose citizenship is questionable
- 10:87-3.11 Awaiting verifications
- 10:87-3.12 Eligibility to use benefits for prepared meals
- 10:87-3.13 State Income and Eligibility Verification System
- 10:87-3.14 Procedures for students in an institution of higher education
- 10:87-3.15 Social Security numbers
- 10:87-3.16 Work registration
- 10:87-3.17 Felons and parole violators
- 10:87-3.18 Individuals convicted of use, possession, or distribution of controlled substances
- 10:87-3.19 Disqualification due to duplicate participation

SUBCHAPTER 4. RESOURCE APPLICABILITY

- 10:87-4.1 Applicability

SUBCHAPTER 5. FINANCIAL ELIGIBILITY; INCOME

- 10:87-5.1 Applicability
- 10:87-5.2 Responsibilities regarding the reporting of income
- 10:87-5.3 Income defined
- 10:87-5.4 Earned income
- 10:87-5.5 Unearned income
- 10:87-5.6 Income of excluded individuals
- 10:87-5.7 Special income situations
- 10:87-5.8 Income exclusions
- 10:87-5.9 Identification of income exclusions
- 10:87-5.10 Income deductions
- 10:87-5.11 Treatment of educational assistance

SUBCHAPTER 6. CERTIFICATION PROCEDURES

- 10:87-6.1 Applicability
- 10:87-6.2 Month of application
- 10:87-6.3 Application for recertification
- 10:87-6.4 Ineligibility subsequent to month of application
- 10:87-6.5 Ineligibility for month of application
- 10:87-6.6 Varying allotments
- 10:87-6.7 Determining resources and income
- 10:87-6.8 (Reserved)
- 10:87-6.9 Income determination
- 10:87-6.10 Determining deductions
- 10:87-6.11 Disallowed expenses
- 10:87-6.12 Billed expenses
- 10:87-6.13 Averaging expenses
- 10:87-6.14 Anticipating expenses
- 10:87-6.15 Anticipating medical expenses
- 10:87-6.16 Calculating net and gross income and benefit levels
- 10:87-6.17 Destitute households
- 10:87-6.18 Destitute households with income from a terminated source
- 10:87-6.19 Destitute households with income from a new source
- 10:87-6.20 Certification periods
- 10:87-6.21 Certification period length
- 10:87-6.22 Calendar months
- 10:87-6.23 PA households
- 10:87-6.24 Shortening certification periods
- 10:87-6.25 Lengthening certification periods
- 10:87-6.26 Other household certifications

SUBCHAPTER 7. SPECIAL INCOME CIRCUMSTANCES

- 10:87-7.1 Applicability
- 10:87-7.2 Self-employment income
- 10:87-7.3 Determining monthly income from self-employment
- 10:87-7.4 Capital gains
- 10:87-7.5 Allowable costs of producing self-employment income
- 10:87-7.6 Assigning certification periods
- 10:87-7.7 Treatment of income and resources of non-household members
- 10:87-7.8 Residents of substance abuse treatment and rehabilitation programs
- 10:87-7.9 Residents of group living arrangements
- 10:87-7.10 Residents of shelters for battered women and their children
- 10:87-7.11 Deeming of income and resources of alien sponsors
- 10:87-7.12 Homeless Food Stamp households and homeless meal providers
- 10:87-7.13 through 10:87-7.20 (Reserved)

SUBCHAPTER 8. FAIR HEARINGS

- 10:87-8.1 General provisions
- 10:87-8.2 CWA responsibility to provide fair hearing information
- 10:87-8.2A Fair hearing based on Federal changes
- 10:87-8.3 Request for fair hearing
- 10:87-8.4 Right to request a fair hearing
- 10:87-8.5 Time period for request of a hearing
- 10:87-8.6 Processing fair hearing requests
- 10:87-8.7 Participation during appeal
- 10:87-8.8 Delayed request
- 10:87-8.9 Reduction or termination due to mass change
- 10:87-8.10 Reduction or termination of benefits prior to a hearing decision
- 10:87-8.11 Prompt notice
- 10:87-8.12 Hearing procedures
- 10:87-8.13 Hearing official
- 10:87-8.14 Household rights
- 10:87-8.15 County welfare agency rights at hearing
- 10:87-8.16 Decision on fair hearing
- 10:87-8.17 Retention of record
- 10:87-8.18 Prospective or retroactive action
- 10:87-8.19 Corrective measures
- 10:87-8.20 Final administrative action
- 10:87-8.21 CWA responsibilities; fair hearings
- 10:87-8.22 through 10:87-8.26 (Reserved)

SUBCHAPTER 9. CERTIFICATION-RELATED PROCEDURES

- 10:87-9.1 Recertification
- 10:87-9.2 Recertification application processing
- 10:87-9.3 Notices of eligibility
- 10:87-9.4 Recertification/denial notice
- 10:87-9.5 Changes
- 10:87-9.6 Identification (ID) cards
- 10:87-9.7 Families First Program cards
- 10:87-9.8 Replacement of benefits
- 10:87-9.9 Credit adjustments to food stamp benefit accounts
- 10:87-9.10 Replacement of lost/stolen Families First cards
- 10:87-9.11 Miscellaneous administrative procedures
- 10:87-9.12 Case records
- 10:87-9.13 Security and control of Families First cards
- 10:87-9.14 (Reserved)