

**CHAPTER 88**  
**FAMILIES FIRST PROGRAM**

**Authority**

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

**Source and Effective Date**

R.2008 d.32, effective February 4, 2008.  
See: 39 N.J.R. 4046(a), 40 N.J.R. 781(c).

**Chapter Expiration Date**

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 88, Families First Program, expires on February 4, 2015. See: 43 N.J.R. 1203(a).

**Chapter Historical Note**

Chapter 88, Food Stamp Program Plan of Operation Manual, was adopted as R.1969 d.23, effective December 3, 1969. See: 1 N.J.R. 13(b), 1 N.J.R. 30(c).

Chapter 88, Food Stamp Program Plan of Operation Manual, was repealed by R.1983 d.246, eff. June 20, 1983. See: 15 N.J.R. 611(a), 15 N.J.R. 1034(b).

Chapter 88, Families First Program, was adopted as new rules by R.1995 d.294, effective June 5, 1995. See: 27 N.J.R. 1110(a), 27 N.J.R. 2223(b).

Subchapter 7, Regulation E Demonstration (Hudson County Only), was repealed by R.1999 d.126, effective April 19, 1999. See: 30 N.J.R. 2415(a), 31 N.J.R. 1065(a).

Pursuant to Executive Order No. 66(1978), Chapter 88, Families First Program, was readopted as R.2000 d.173, effective March 28, 2000. See: 32 N.J.R. 436(a), 32 N.J.R. 1516(a).

Chapter 88, Families First Program, was readopted as R.2005 d.134, effective April 1, 2005. See: 37 N.J.R. 17(a), 37 N.J.R. 1518(a).

Chapter 88, Families First Program, was repealed and Chapter 88, Families First Program, was adopted as new rules by R.2008 d.32, effective February 4, 2008. See: Source and Effective Date.

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**SUBCHAPTER 1. GENERAL PROVISIONS**

**10:88-1.1 Purpose and scope**

(a) The Families First Program is the mandatory method of distributing Temporary Assistance for Needy Families (TANF) benefits, Food Stamp Program benefits, and child support bonus payments to eligible households. The Families First Program is also the mandatory method of issuing General Assistance (GA) benefits in the counties where the GA Program is administered at the county level. Families First utilizes a technology called Electronic Benefits Transfer (EBT). In EBT, each payee is issued a magnetic-stripe plastic card, which the payee uses to access his or her benefits. In New Jersey this card is called the Families First card.

(b) Food stamp benefits are accessible at retailers authorized by the United States Department of Agriculture (USDA), Food and Nutrition Service (FNS) to participate in the Food Stamp Program. Those retailers accept EBT transactions through Point of Sale (POS) equipment that allows each payee to debit his or her Families First food stamp account by the amount of the food stamp eligible purchase.

(c) Cash benefits are accessible at automated teller machines (ATMs) and POS locations that display the Quest<sup>®</sup> symbol.

**10:88-1.2 Authority**

(a) The operation of a public assistance EBT system is authorized by both Federal regulation and State statute.

(b) The operation of the Families First Program in New Jersey has been approved by both the USDA and the United States Department of Health and Human Services (USDHHS).

(c) Section 1729 of the Mickey Leland Memorial Domestic Hunger Relief Act (P.L. 101-624) established regulatory

guidelines under which state agencies must operate EBT systems in the Food Stamp Program. That law is reflected in Federal regulations at 7 CFR §274.12.

(d) The USDHHS Administration for Children and Families (ACF) Transmittal No. ACF-AT-91-28 (issued on September 6, 1991) established guidelines under which a state agency must operate an EBT system with its TANF Program.

(e) The Families First Program is authorized in New Jersey Statute by N.J.S.A. 44:10-75.

### 10:88-1.3 Properties of Families First accounts

(a) Families First accounts have the following properties:

1. If otherwise eligible, each case shall have one account for cash benefits, and one account for food stamp benefits. While both cash and food stamp benefits are accessed with one Families First card, cash and food stamp benefits are maintained in separate accounts in the Families First system.

2. Retailers shall not impose a minimum purchase amount or other conditions on the use of a Families First card. Retailers who are authorized by FNS to participate in the Food Stamp Program are not required to accept EBT cash benefit transactions at the POS; however, if they choose to do so, their EBT cash back limits must be the same for public assistance clients as for their commercial customers.

3. Account balances which are not used by a recipient in the month of issuance shall be carried forward into the following month. The accounts shall be accessed periodically in order to avoid account aging, pursuant to N.J.A.C. 10:88-4.

4. The Families First card is not proof of Medicaid eligibility.

### 10:88-1.4 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

“Administration for Children and Families (ACF)” means the organization within USDHHS which is directly responsible for the administration of the TANF Program.

“Aging” means the procedure of terminating or suspending a household’s Families First account, and closing or suspending the household’s public assistance case, when the household has not accessed the Families First account for three months.

“Authorized representative” means an individual designated by a recipient to have access to his or her benefits.

“Authorized retailer” means any merchant who has been approved by FNS to accept food stamps as payment for

eligible food items and has also completed and signed a retailer agreement with the State’s EBT contractor. Authorized retailers include, but are not limited to, retail grocery stores, food chains, farmers markets, roadside vendors, delivery services and cooperatives.

“Automated/Audio Response Unit (ARU)” means a computer peripheral that accepts data from touch-tone telephones and responds with synthesized voice commands and information. ARUs are used by an EBT system to provide balance information or to authorize manual transactions.

“Automated teller machine (ATM)” means an unattended terminal that reads a magnetic stripe card and permits the cardholder to make transactions, such as cash withdrawals.

“Available balance” means the amount of funds that may be accessed by a cardholder for a transaction from a cash or food stamp account.

“Balance inquiry” means a non-financial transaction that permits the cardholder to obtain the current balance of his or her account(s).

“Case” means one or more individuals usually sharing family membership and eligibility classification, for example, a mother and child.

“Case number” means the 10-digit number that uniquely identifies a case in New Jersey’s FAMIS/EBT system. The case number begins with “C,” “S” or “G” followed by six numeric characters and ending with a three-digit county code.

“Client” means an eligible recipient of one of the State’s benefit programs.

“Contractor” means the organization that has contracted with the State to administer the day-to-day operations of the Families First system.

“Customer service representative (CSR)” means a live person who provides assistance to an EBT client or retailer via a telephone call to a customer service center. Examples of assistance include access to account information and action on reports of lost or stolen cards.

“Families First” or the “Families First Program” means the method by which public assistance benefits are disbursed in New Jersey through utilization of EBT technology.

“Food and Nutrition Service (FNS)” means the organization within USDA, which is directly responsible for the administration of the Food Stamp Program.

“Food Stamp Program (FSP)” means the Federally funded assistance program authorized by the Food Stamp Act of 1964 that enables individuals and households to purchase food items to maintain nutritionally adequate diets. Eligibility is determined and benefits are issued by the states.