

[N.J.A.C. 10:88](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM

Title 10, Chapter 88 -- Chapter Notes

Statutory Authority

CHAPTER AUTHORITY:

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

History

CHAPTER SOURCE AND EFFECTIVE DATE:

Effective: July 12, 2021.

See: [53 N.J.R. 1383\(a\)](#).

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Chapter 88, Food Stamp Program Plan of Operation Manual, was repealed by R.1983 d.246, eff.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Subchapter 7, Regulation E Demonstration (Hudson County Only), was repealed by R.1999 d.126, effective April 19, 1999.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Chapter 88, Families First Program, was repealed and Chapter 88, Families First Program, was adopted as new rules by R.2008 d.32, effective February 4, 2008.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: [39 N.J.R. 4046\(a\)](#), [40 N.J.R. 781\(c\)](#).

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 88, Families First Program, was scheduled to expire on February 4, 2015. See: [43 N.J.R. 1203\(a\)](#).

Title 10, Chapter 88 -- Chapter Notes

Chapter 88, Families First Program, was readopted, effective August 22, 2014. See: [46 N.J.R. 2041\(b\)](#).

Chapter 88, Families First Program, was readopted, effective July 12, 2021. See: Source and Effective Date.

Subchapter 4, Inactive Accounts (Aging), was renamed Inactive Accounts and Expungement of Benefits by R.2023 d.083, effective July 3, 2023. See: [54 N.J.R. 2062\(a\)](#), [55 N.J.R. 1335\(a\)](#).

Annotations

Notes

[Chapter Notes](#)

Research References & Practice Aids

CHAPTER EXPIRATION DATE:

Chapter 88, Families First Program, expires on July 12, 2028.

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[N.J.A.C. 10:88-1.1](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > 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, New Jersey Supplemental Nutrition Assistance Program (NJ SNAP) 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) NJ SNAP benefits are accessible at retailers authorized by the United States Department of Agriculture (USDA), Food and Nutrition Service (FNS) to participate in NJ SNAP. Those retailers accept EBT transactions through Point of Sale (POS) equipment that allows each payee to debit his or her Families First NJ SNAP account by the amount of the NJ SNAP eligible purchase.

(c) Cash benefits are accessible at automated teller machines (ATMs) and POS locations that display the Quest(R) symbol.

History

HISTORY:

Amended by R.2014 d.171, effective November 3, 2014.

See: [46 N.J.R. 1315\(a\)](#), [46 N.J.R. 2156\(a\)](#).

In (a), substituted "New Jersey Supplemental Nutrition Assistance Program (NJ SNAP)" for "Food Stamp Program"; in (b), substituted "NJ SNAP" for "Food stamp", "NJ SNAP" for "the Food Stamp Program", and "NJ SNAP" for "food stamp" twice.

Annotations

Notes

[Chapter Notes](#)

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[N.J.A.C. 10:88-1.2](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 1. GENERAL PROVISIONS

§ 10:88-1.2 Authority

- (a) The operation of a public assistance EBT system is authorized by both Federal and State laws and rules.
- (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) Federal law concerning EBT may be found at [7 U.S.C. § 2016](#) and 7 CFR Part 274.
- (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](#).
- (f) Section 4004 of the Middle Class Tax Relief and Job Creation Act of 2012 (P.L. 112-96), codified at [42 U.S.C. § 608\(a\)\(12\)](#), requires states providing assistance under the TANF program to restrict recipients from accessing cash assistance benefits via EBT at liquor stores, gaming establishments, and adult-oriented entertainment venues where performers disrobe or perform in an unclothed state.

History

HISTORY:

Amended by R.2014 d.171, effective November 3, 2014.

See: [46 N.J.R. 1315\(a\)](#), [46 N.J.R. 2156\(a\)](#).

Rewrote (c); and added (f).

Amended by R.2023 d.083, effective July 3, 2023.

See: [54 N.J.R. 2062\(a\)](#), [55 N.J.R. 1335\(a\)](#).

Substituted "Federal and State laws and rules" for "Federal regulation and State statute"; in (c), substituted "law" for "regulations", "may be" for "are", and inserted "[7 U.S.C. § 2016](#) and".

Annotations

Notes

[Chapter Notes](#)

§ 10:88-1.2 Authority

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[N.J.A.C. 10:88-1.3](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 1. GENERAL PROVISIONS

§ 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 NJ SNAP benefits. While both cash and NJ SNAP benefits are accessed with one Families First card, cash and NJ SNAP 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 SNAP 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. A recipient shall access their account periodically in order to avoid benefit expungement, pursuant to [N.J.A.C. 10:88-4.2](#).
4. The Families First card is not proof of Medicaid eligibility.
5. Cash assistance provided under the WFNJ program is prohibited from being accessed in any electronic benefit transaction in the following locations:
 - i. Any liquor store.
 - (1) This subparagraph applies to any retail establishment that exclusively or primarily sells intoxicating liquors and is not applicable to a grocery store that sells both staple foods and intoxicating liquors;
 - ii. Any gaming establishment.
 - (1) This subparagraph is not applicable to a grocery store, hotel, or full branch office bank location that operates within the same building or complex as a gaming facility; and
 - iii. Any establishment that provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.

History

HISTORY:

Amended by R.2014 d.171, effective November 3, 2014.

See: [46 N.J.R. 1315\(a\)](#), [46 N.J.R. 2156\(a\)](#).

In (a)1, substituted "NJ SNAP" for "food stamp" throughout; in (a)2, substituted "SNAP" for "the Food Stamp Program"; and added (a)5.

Amended by R.2023 d.083, effective July 3, 2023.

§ 10:88-1.3 Properties of Families First accounts

See: [54 N.J.R. 2062\(a\)](#), [55 N.J.R. 1335\(a\)](#).

In (a)3, rewrote the last sentence.

Annotations

Notes

[Chapter Notes](#)

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[N.J.A.C. 10:88-1.4](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 1. GENERAL PROVISIONS

§ 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.

"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 SNAP benefits 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 NJ SNAP account.

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

"Benefit" means the value of cash or NJ SNAP assistance provided to a household through an EBT card.

"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 the State's automated case file and issuance system/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.

"County welfare agency (CWA)" means the county agency that administers the public assistance programs in that county.

"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.

"Electronic benefit transfer (EBT)" means the utilization of a Families First debit card by which a recipient may draw benefits through an approved financial institution or vendor.

§ 10:88-1.4 Definitions

"Expungement" means permanent removal of benefits from a Families First account.

"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 the USDA, which is directly responsible for the administration of the Supplemental Nutrition Assistance Program.

"Full branch office" means any bank branch location as defined by [N.J.S.A. 17:9A-1\(15\)](#).

"Gaming establishment" means any casino, casino room, or licensed casino operating as defined by [N.J.S.A. 5:12-6](#) or any racetrack or off-track wagering facility as defined by [N.J.A.C. 13:74-1.1](#).

"Group living arrangements/group home" means specific licensed residential living facilities for a number of individuals.

"Help Desk" means the Families First system operation, which assists recipients and retailers in the resolution of problems associated with Families First. The Help Desk is accessed via toll-free telephone numbers.

"Inactive account" means an account where the household has not taken any action that affects the balance of the account, such as making a purchase, return, or cash withdrawal.

"Liquor store" means any liquor store operating with a Class C license as defined by [N.J.S.A. 33:1-12](#).

"Non-traditional" means a person, company, or organization, retailer or vendor authorized by FNS to accept SNAP benefits in exchange for eligible food items that does not have access to a telephone line or electricity at the POS, and, therefore, is unable to use a standard POS device to authorize transactions (for example, farmers' markets and route vendors). Others, such as group homes, treatment centers, food cooperatives, and communal dining facilities may have special circumstances that require a variety of unique accommodations in order to continue SNAP participation in the EBT environment.

"Off-line" means an EBT system or transaction in which individual purchases are authorized without telecommunication between the POS device and a central database. In an off-line EBT system, data on the recipient's account balance is maintained on the access card and purchase authorization only requires contact between the card and the local device.

"On-line" means an EBT system or transaction in which authorization of individual purchases requires telecommunication between the POS device or ATM and a central database in which data on account balances is maintained.

"Personal identification number (PIN)" means a numeric code selected by or assigned to the recipient and used to control access to individual accounts. The PIN must be entered on a keypad before any transaction can be processed.

"Point of Sale (POS) device" means equipment, such as a terminal, PIN pad and printer, deployed at a retail location and used to initiate the electronic debit of recipient accounts and credit to retailer accounts.

"Primary account number (PAN)" means the assigned number that identifies the card issuer and cardholder. It includes the issuer's identification number and an individual account identification number.

"Quest<(R)> EBT operating rules" means the uniform EBT rules established and maintained by the National Automated Clearing House (NACH), which form the basis of a uniform operating environment for EBT.

"Receipt" means a hard copy description of a transaction that took place at the POS, containing at a minimum, the date, merchant name and location, truncated PAN, type of account accessed, transaction amount and account balance.

"SNAP purchase" means a payment for the value of eligible food items sold to a customer at an FNS authorized retailer.

"SNAP return" means a refund for the value of merchandise originally purchased with NJ SNAP benefits that is brought back by a customer for a credit from the retailer.

§ 10:88-1.4 Definitions

"Supplemental Nutrition Assistance Program (SNAP)" means the program operated pursuant to the Food and Nutrition Act of 2008.

"Store and forward" means a process by which an NJ SNAP transaction is electronically stored with an encrypted PIN by a POS terminal operator when the POS terminal operator is unable to communicate with the card issuer, and is later forwarded to the issuer for approval.

"United States Department of Agriculture (USDA)" means the Federal department, which is responsible for SNAP.

"United States Department of Health and Human Services (USDHHS)" means the Federal department which is responsible for the TANF Program.

History

HISTORY:

Amended by R.2014 d.171, effective November 3, 2014.

See: [46 N.J.R. 1315\(a\)](#), [46 N.J.R. 2156\(a\)](#).

In definition "Authorized retailer", substituted "SNAP benefits" for "food stamps"; in definition " Available balance", substituted "NJ SNAP" for "food stamp"; in definition "Case number", substituted "the State's automated case file and issuance system/EBT" for "New Jersey's FAMIS/EBT"; in definition "Non-traditional", inserted a comma following "company", and substituted "SNAP" for "food stamp" and "SNAP" for FSP"; in definition "Store and forward", substituted "an NJ SNAP" for "a food stamp"; in definition "United States Department of Agriculture (USDA)", substituted "SNAP" for "the Food Stamp Program"; in definition "Food and Nutrition Service (FNS)", inserted "the", and substituted "Supplemental Nutrition Assistance Program" for "Food Stamp Program"; added definitions "Country welfare agency (CWA)", "Electronic benefit transfer (EBT)", "Full branch office", "Gaming establishment", "Liquor store", "SNAP purchase", "SNAP return", and "Supplemental Nutrition Assistance Program (SNAP)"; and deleted definitions "Food Stamp Program (FSP)", "Food stamp purchase", and "Food Stamp return".

Amended by R.2023 d.083, effective July 3, 2023.

See: [54 N.J.R. 2062\(a\)](#), [55 N.J.R. 1335\(a\)](#).

Deleted definition "Aging"; added definitions "Benefit", "Expungement", and "Inactive account"; and rewrote definition "Supplemental Nutrition Assistance Program (SNAP)"

Annotations

Notes

[Chapter Notes](#)

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[N.J.A.C. 10:88-2.1](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 2. RECIPIENT TRAINING

§ 10:88-2.1 Purpose of recipient training

The purpose of recipient training is to enable the payee to obtain balance information and to access cash and/or NJ SNAP benefits using the Families First card.

History

HISTORY:

Amended by R.2014 d.171, effective November 3, 2014.

See: [46 N.J.R. 1315\(a\)](#), [46 N.J.R. 2156\(a\)](#).

Substituted "NJ SNAP" for "food stamp".

Annotations

Notes

[Chapter Notes](#)

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[N.J.A.C. 10:88-2.2](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 2. RECIPIENT TRAINING

§ 10:88-2.2 Training responsibilities

- (a) The CWA, which provides benefits to the recipient shall be responsible for training the recipient on EBT card usage and procedures.
- (b) EBT training for each payee shall be performed when the recipient is issued the initial Families First card.

Annotations

Notes

[Chapter Notes](#)

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[N.J.A.C. 10:88-2.3](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 2. RECIPIENT TRAINING

§ 10:88-2.3 Card issuance

(a) At the time that a CWA certifies an individual's eligibility to receive a public assistance benefit, the State's automated case file and issuance system generates an EBT case maintenance record for the payee and sends that record electronically to the State's EBT contractor to establish the case on the EBT database.

(b) The CWA shall either mail an appointment letter to the recipient, or contact the recipient directly to schedule Families First training and card issuance.

(c) The payee shall receive training on the following items:

1. What Families First is;
2. The day of the month when benefits shall become available to the recipient;
3. How the card shall be used to obtain NJ SNAP and cash benefits;
4. How to obtain account balances, including advice on maintaining receipts in order to track balances;
5. How to care for the Families First card;
6. Where the card may be used;
7. How to maintain the security of the recipient's PIN;
8. How to contact Families First client customer service via a toll-free telephone number to report a lost or stolen card or any other problem;
9. Families First card replacement rules and fees;
10. Transaction fees for the fourth and subsequent cash withdrawal from an ATM in a calendar month; and
11. The expungement process, as specified at [N.J.A.C. 10:88-4.2](#).

(d) Each payee shall be required to select a four-digit PIN. The PIN will serve as the payee's electronic signature when performing Families First transactions. The CWA shall emphasize that the payee needs to maintain the security of the PIN.

(e) Families First cards may be issued in person or via U.S. mail; however, all newly certified households, who are not eligible for expedited services, shall be mailed a card no later than the 28th day from the date of application to ensure that the household has an opportunity to participate by the 30th day. Cards that are mailed to recipients must not include PIN selection instruction with the card mailing. PIN selection instructions must be mailed separately from Families First cards that are mailed to a recipient.

History

HISTORY:

§ 10:88-2.3 Card issuance

Amended by R.2014 d.171, effective November 3, 2014.

See: [46 N.J.R. 1315\(a\)](#), [46 N.J.R. 2156\(a\)](#).

In (a), deleted "(Family Assistance Management Information System - FAMIS)" following "system"; in (c)3, substituted "NJ SNAP" for "food stamp"; and rewrote (e).

Amended by R.2023 d.083, effective July 3, 2023.

See: [54 N.J.R. 2062\(a\)](#), [55 N.J.R. 1335\(a\)](#).

In (c)11, substituted "expungement" for " 'aging' " and "at" for "in", and updated the N.J.A.C. reference.

Annotations

Notes

[Chapter Notes](#)

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End of Document

[N.J.A.C. 10:88-3.1](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 3. CARD UTILIZATION

§ 10:88-3.1 Obtaining benefits

- (a) In Families First, each household shall receive its public assistance benefits by using a Families First card to access benefits at a location authorized to perform Families First transactions. The method by which the payee obtains benefits varies, dependent on whether the benefits are cash or NJ SNAP. While both cash and NJ SNAP benefits are accessed with one Families First card, NJ SNAP and cash benefits are maintained within separate accounts in the Families First automated system.
- (b) Cash benefits shall be obtained at ATMs and/or POS locations that display the Quest<(R)> mark.
1. After three free cash ATM withdrawals in a calendar month, a \$ 0.40 transaction fee will be deducted from the recipient's cash account for each subsequent ATM cash withdrawal. No transaction fees will be assessed for transactions at POS devices.
- (c) NJ SNAP benefits shall be accessed at retailers authorized by USDA/FNS to participate in SNAP. Those retailers may accept Families First transactions on their own commercial POS equipment or on POS devices supplied by the State's EBT contractor, which allow each payee to debit his or her Families First NJ SNAP account by the amount of the eligible food purchase. The payee shall be required to use his or her PIN in order to make an NJ SNAP purchase, unless the retailer's access to validate the transaction on-line is temporarily disrupted. In that case, the retailer shall call the toll free EBT retailer call center telephone number to obtain an authorization to allow an off-line manual voucher transaction to occur.
- (d) NJ SNAP benefits shall not be converted into cash.
- (e) Families First cash benefits may be used to purchase food or non-NJ SNAP-eligible items at FNS authorized retailers who have agreed to accept Families First cash transactions. Those retailers may also allow cash withdrawals at the POS. The amount of cash that can be withdrawn during one transaction shall be dependent upon the individual retailer's contract with the State's EBT contractor; however, cash back limits for Families First cardholders must be the same as those for commercial customers.
- (f) In the event that the State's EBT contractor's database is inaccessible and a retailer cannot access the Families First system to determine whether a household has sufficient funds in the household's Families First account to make a purchase with NJ SNAP benefits, the household shall be allowed to make a \$ 50.00 maximum purchase per day. The emergency purchase shall be documented by an off-line voucher completed by the retailer and signed by the Families First payee.
- (g) Families First transactions that are performed at ATMs or POS devices shall generate receipts containing the truncated PAN, the date and location of the transaction and the amount of the transaction. For NJ SNAP transactions all POS terminal receipts shall display the account balance.

History

HISTORY:

Amended by R.2014 d.171, effective November 3, 2014.

§ 10:88-3.1 Obtaining benefits

See: [46 N.J.R. 1315\(a\)](#), [46 N.J.R. 2156\(a\)](#).

Rewrote the section.

Amended by R.2023 d.083, effective July 3, 2023.

See: [54 N.J.R. 2062\(a\)](#), [55 N.J.R. 1335\(a\)](#).

In (d), substituted "NJ SNAP" for "Food stamp".

Annotations

Notes

[Chapter Notes](#)

NEW JERSEY ADMINISTRATIVE CODE

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End of Document

[N.J.A.C. 10:88-3.2](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 3. CARD UTILIZATION

§ 10:88-3.2 Authorized representatives and payees

Each recipient household shall be allowed to designate a maximum of two payees to access cash benefits, and two payees to access NJ SNAP benefits. The household may designate the same individual(s) to access both the household's cash and NJ SNAP benefits. A Families First card shall be issued to each payee, each with its own PIN.

History

HISTORY:

Amended by R.2014 d.171, effective November 3, 2014.

See: [46 N.J.R. 1315\(a\)](#), [46 N.J.R. 2156\(a\)](#).

Substituted "NJ SNAP" for "food stamp" twice.

Annotations

Notes

[Chapter Notes](#)

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End of Document

[N.J.A.C. 10:88-3.3](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 3. CARD UTILIZATION

§ 10:88-3.3 Staggered issuance

(a) A benefit authorization that represents a household's normal monthly assistance shall become available from the Families First account during the first five days of the month. The specific date of availability shall be dependent upon the household's case number and the individual CWA's staggered issuance procedures. During Families First training, each recipient shall be advised of the day of the month on which each month's benefits shall be available.

(b) While staggered issuance is a method to disburse benefits over the first five days of the month, the establishment of cash and NJ SNAP benefit program eligibility shall continue to be based upon a calendar month.

History

HISTORY:

Amended by R.2014 d.171, effective November 3, 2014.

See: [46 N.J.R. 1315\(a\)](#), [46 N.J.R. 2156\(a\)](#).

In (b), substituted "NJ SNAP" for "food stamp".

Annotations

Notes

[Chapter Notes](#)

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[N.J.A.C. 10:88-3.4](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 3. CARD UTILIZATION

§ 10:88-3.4 Non-traditional food retailers

(a) NJ SNAP recipients shall be able to utilize their Families First NJ SNAP benefits at authorized retailers who are not equipped with POS devices. These transactions shall be performed by having the recipient sign an off-line manual voucher for the amount of the purchase, which authorizes the retailer to submit the voucher for payment to the State's EBT contractor. The recipient shall receive a copy of the voucher for his or her records. It is the responsibility of the retailer to contact the EBT retailer call center at the time of the sale to obtain a voice authorization for the purchase. The voice authorization includes an approval number for the transaction, which confirms the availability of funds to cover the transaction and places a hold on the recipient's funds for the approved amount. The retailer must record the approval number on the voucher.

1. Retailers will not be reimbursed and will be solely responsible for all manual voucher transactions when the retailer fails to obtain a voucher authorization number from the retailer call center at the time of the sale and prior to the submission of the manual voucher for payment.

History

HISTORY:

Amended by R.2014 d.171, effective November 3, 2014.

See: [46 N.J.R. 1315\(a\)](#), [46 N.J.R. 2156\(a\)](#).

In (a), substituted "NJ SNAP" for "Food stamp" and "NJ SNAP" for "food stamp".

Annotations

Notes

[Chapter Notes](#)

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[N.J.A.C. 10:88-3.5](#)

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NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 3. CARD UTILIZATION

§ 10:88-3.5 Authorized institutions

(a) Drug or alcohol treatment centers, shelters for battered women, group living arrangements, and non-profit homeless feeding sites that are authorized by the USDA to participate in SNAP shall be provided with a POS device by the State's EBT contractor. Pursuant to [N.J.A.C. 10:87-7.8\(a\)2](#), residents of group living arrangements shall have their eligibility determined as one-person households when applying on their own behalf. The Families First card shall be issued to the resident as payee, and he or she shall select his or her own PIN. Certification may also be accomplished through an authorized representative of the group living arrangement or another representative chosen by the applicant. In that case, the Families First card shall be issued to the resident's authorized representative.

(b) NJ SNAP rules at [N.J.A.C. 10:87-7.8](#) provide that narcotic addicts or alcoholics who reside in drug or alcohol treatment facilities may apply for NJ SNAP benefits and have their eligibility determined as one-person households, and that certification must be accomplished through an authorized representative.

1. In order to participate in the EBT for NJ SNAP, each drug/alcohol treatment facility must be authorized by the USDA/FNS and receive an FNS authorization number. Each facility must designate one or more representatives from their staff to act as the NJ SNAP payee for the NJ SNAP clients who reside within the facility. Coding of this payee on the State's automated case file and issuance system will be such that the Families First cards for residents of the facility will be issued to this payee as the authorized representative for the clients. For coding and security purposes, the individual(s) who acts as the authorized representative must provide his or her full name and date of birth to the agency.
2. The CWA shall make arrangements with each drug/alcohol treatment facility to allow the designated authorized representative to come to the CWA to apply for NJ SNAP benefits and to select a PIN and receive the card for each eligible resident.
3. When a resident of a drug or alcohol treatment center or group living arrangement facility leaves the facility, the facility shall immediately notify the CWA of the resident's departure. Upon receipt of this notice, the CWA shall immediately deactivate the resident's Families First card, so that no further transactions can be made with the card. Prior to informing the CWA of a resident's departure, the drug/alcohol treatment center shall ensure that the resident's NJ SNAP account has been debited/credited correctly in accordance with [N.J.A.C. 10:87-7.8\(d\)1i](#). The payee shall visit the CWA to request a new Families First card, which will allow the payee to access any benefits that remain available in the account.

History

HISTORY:

Amended by R.2014 d.171, effective November 3, 2014.

See: [46 N.J.R. 1315\(a\)](#), [46 N.J.R. 2156\(a\)](#).

§ 10:88-3.5 Authorized institutions

Substituted "NJ SNAP" for "food stamp" throughout; in (a), substituted "SNAP" for "the Food Stamp Program"; in (b), substituted "NJ SNAP" for "Food stamp" and "7.8" for "7.9(a) and (b)"; and in (b)1, substituted "for NJ SNAP" for "Food Stamp Program", and "State's automated case file and issuance" for "FANIS".

Annotations

Notes

[Chapter Notes](#)

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End of Document

[N.J.A.C. 10:88-3.6](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 3. CARD UTILIZATION

§ 10:88-3.6 Communal dining facilities

Recipients qualified under [N.J.A.C. 10:87-3.12\(a\)](#)¹ may utilize their Families First NJ SNAP benefits to purchase meals at communal dining facilities. These transactions are performed by having the recipient sign a debit voucher that authorizes the communal dining facility to submit the voucher for payment to the Families First Program. The recipient shall receive a copy of the voucher for the recipient's records.

History

HISTORY:

Amended by R.2014 d.171, effective November 3, 2014.

See: [46 N.J.R. 1315\(a\)](#), [46 N.J.R. 2156\(a\)](#).

Substituted "NJ SNAP" for "food stamp".

Annotations

Notes

[Chapter Notes](#)

NEW JERSEY ADMINISTRATIVE CODE
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[N.J.A.C. 10:88-3.7](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 3. CARD UTILIZATION

§ 10:88-3.7 Meals-on-Wheels

Recipients qualified under [N.J.A.C. 10:87-3.12\(a\)](#)² may utilize their Families First NJ SNAP benefits to purchase meals from Meals-on-Wheels. These transactions are performed by completing an off-line manual voucher and having the recipient sign the voucher, which authorizes Meals-on-Wheels to submit the voucher for payment to the State's EBT contractor. The recipient shall receive a copy of the voucher for the recipient's records.

History

HISTORY:

Amended by R.2014 d.171, effective November 3, 2014.

See: [46 N.J.R. 1315\(a\)](#), [46 N.J.R. 2156\(a\)](#).

Substituted "NJ SNAP" for "food stamp".

Annotations

Notes

[Chapter Notes](#)

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[N.J.A.C. 10:88-3.8](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 3. CARD UTILIZATION

§ 10:88-3.8 Adjustment

(a) Adjustment is the process whereby a debit or credit transaction is applied to a recipient's Families First NJ SNAP account to correct a system error or to correct an out-of-balance condition that is identified in the settlement process.

1. A system error is defined as an error resulting from a malfunction at any point in the posting or redemption process, from the Families First host computer, to the switch, to the third-party processors, to a store's host computer or to a POS device.
2. A Families First account can be either a cash benefit account or NJ SNAP benefit account.

(b) The State (including any contracted agent that the State employs to act as its EBT processor) shall correct a benefit amount erroneously posted to a recipient's Families First account, or an auditable, out-of-balance settlement condition that occurs during the NJ SNAP redemption process as a result of a system error.

1. If an error is discovered prior to the date on which those benefits are accessible to the recipient, an adjustment shall be performed by the State or its contracted agent that corrects the erroneous posting. In this situation, the recipient shall not be provided with notification that the correction has occurred.
2. If an error is discovered in an NJ SNAP account after the date on which those benefits are accessible to the recipient, an adjustment shall be performed by the State or its contracted agent to correct the error. However, in this situation, if the adjustment is a debit transaction, the recipient shall be provided with notification as described in (e) below.
3. The adjustment shall be equal to the amount of the original error transaction, and may result in either a debit or credit to the recipient's Families First NJ SNAP account.

(c) A recipient initiated NJ SNAP adjustment must be requested by the recipient within 90 days of the alleged error transaction and shall be addressed by the State agency or its contracted agent within 10 business days from the date the recipient notifies the State agency of the alleged error. Within this period, the State agency or its contracted agent must investigate, reach a decision, and, if warranted, move funds into the recipient's NJ SNAP account.

(d) A retailer- or commercial institution-initiated NJ SNAP adjustment shall be acted upon no later than 10 business days from the date the error occurred, by placing a hold on the adjustment balance in the household's account. Notification requirements are described in (e) below and the actual account adjustment shall be performed in accordance with (g) or (h) below.

(e) Upon receipt by the State of notification that a retailer or a commercial institution has requested an NJ SNAP debit adjustment, the recipient shall immediately be notified of the adjustment request.

1. The notice shall specify:
 - i. The full amount and type (debit) of the adjustment, including the date, time and location of the original error transaction;

§ 10:88-3.8 Adjustment

- ii. That any adjustment amount still owing is subject to collection from the household's next month's NJ SNAP benefits;
 - iii. Where the recipient may call to dispute the adjustment and request a fair hearing; and
 - iv. The right to delay the adjustment debit to the household, pending the outcome of a fair hearing, provided the hearing is requested within 10 business days of the notice date.
2. Subsequent transactions to move the funds or otherwise complete the NJ SNAP adjustment do not require additional household notification.
 3. No notice is necessary if an adjustment is a credit to the household NJ SNAP account.
- (f) The recipient shall have 90 days from the date of the notice of the adjustment to request a fair hearing.
- (g) If the household does not request a hearing within 10 business days, the State agency, or its contracted agent, shall proceed to debit the recipient's Families First NJ SNAP account for the total amount erroneously credited.
1. If the household requests a fair hearing after the 10th business day, but before the 90th day expires, the fair hearing request shall be accepted; however, the adjustment process continues.
- (h) Should the household dispute the adjustment and a hearing request is made within 10 business days of the notice, no further action shall be taken to adjust (debit) the household's NJ SNAP account until the fair hearing decision is rendered.
1. If the fair hearing decision is rendered in the household's favor, no additional action is needed.
 2. If the Division of Family Development's (DFD) intended action regarding the adjustment is upheld by the hearing decision, DFD, or its contracted agent, shall debit the recipient's Families First NJ SNAP account immediately for the total amount erroneously credited when the fair hearing was requested.
- (i) If the recipient's Families First NJ SNAP account does not have sufficient benefits to cover the total amount of the adjustment, DFD, or its contracted agent, shall only attempt the adjustment against a client's NJ SNAP account for one future month before the adjustment debt is cancelled. This also applies to adjustments that cannot be collected from a household that leaves NJ SNAP, regardless of whether that household returns to NJ SNAP at a later date.

History

HISTORY:

Amended by R.2014 d.171, effective November 3, 2014.

See: [46 N.J.R. 1315\(a\)](#), [46 N.J.R. 2156\(a\)](#).

Rewrote the section.

Annotations

Notes

[Chapter Notes](#)

End of Document

[N.J.A.C. 10:88-3.9](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 3. CARD UTILIZATION

§ 10:88-3.9 Penalties for inappropriate use of Families First cards

Any act that constitutes a violation of the Food Stamp Act, NJ SNAP rules, or any State statute for the purpose of acquiring, using, presenting, transferring, receiving, possessing, or trafficking of authorization cards used as part of an automated benefit delivery system is considered an intentional program violation and will be addressed in accordance with rules that govern the program(s) for which the card(s) delivers benefits (see [N.J.A.C. 10:87-11.3](#) and 10:90-11).

History

HISTORY:

Amended by R.2014 d.171, effective November 3, 2014.

See: [46 N.J.R. 1315\(a\)](#), [46 N.J.R. 2156\(a\)](#).

Substituted "NJ SNAP" for "Food Stamp Program".

Annotations

Notes

[Chapter Notes](#)

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[N.J.A.C. 10:88-4.1](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 4. INACTIVE ACCOUNTS AND EXPUNGEMENT OF BENEFITS

§ 10:88-4.1 Overview

The Families First system shall expunge Families First cash and NJ SNAP benefits in accordance with [N.J.A.C. 10:88-4.2](#).

History

HISTORY:

Amended by R.2014 d.171, effective November 3, 2014.

See: [46 N.J.R. 1315\(a\)](#), [46 N.J.R. 2156\(a\)](#).

Rewrote the section.

Amended by R.2023 d.083, effective July 3, 2023.

See: [54 N.J.R. 2062\(a\)](#), [55 N.J.R. 1335\(a\)](#).

Rewrote the section.

Annotations

Notes

[Chapter Notes](#)

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[N.J.A.C. 10:88-4.2](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 4. INACTIVE ACCOUNTS AND EXPUNGEMENT OF BENEFITS

§ 10:88-4.2 Expungement of Families First NJ SNAP and cash benefits

(a) NJ SNAP and cash assistance benefits that are 274 days old or older shall be expunged from the EBT account when the EBT account has been inactive for 274 days.

1. At least 30 days prior to the expungement of NJ SNAP or cash benefits, the Department shall provide a household with a written pre-expungement notice informing the household that the EBT account is inactive and the date that benefits will be expunged should the account remain inactive. The notice shall also include the steps necessary to prevent the expungement.
2. On the 274th day of account inactivity, any benefits on the EBT account that are older than 274 days will be expunged. Any benefits on the account that are under 274 days old will remain available on the account until the benefit reaches the 274th day.
3. Should the account subsequently become active, the expungement timeline for the remaining unexpunged benefits will reset until the account has been inactive for another 274 days.

(b) Benefits may be immediately expunged without notice in situations where it has been verified that all recipient members of the household are deceased.

History

HISTORY:

Amended by R.2014 d.171, effective November 3, 2014.

See: [46 N.J.R. 1315\(a\)](#), [46 N.J.R. 2156\(a\)](#).

Section was "Aging of food stamp cases". Rewrote the section.

Repeal and New Rule, R.2023 d.083, effective July 3, 2023.

See: [54 N.J.R. 2062\(a\)](#), [55 N.J.R. 1335\(a\)](#).

Section was "Aging of NJ SNAP cases".

Annotations

Notes

[Chapter Notes](#)

§ 10:88-4.2 Expungement of Families First NJ SNAP and cash benefits

End of Document

[N.J.A.C. 10:88-4.3](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 4. INACTIVE ACCOUNTS AND EXPUNGEMENT OF BENEFITS

§ 10:88-4.3 (Reserved)

History

HISTORY:

Amended by R.2014 d.171, effective November 3, 2014.

See: [46 N.J.R. 1315\(a\)](#), [46 N.J.R. 2156\(a\)](#).

Section was "Obtaining aged food stamp benefits". Substituted "NJ SNAP" for "food stamp" twice.

Repealed by R.2023 d.083, effective July 3, 2023.

See: [54 N.J.R. 2062\(a\)](#), [55 N.J.R. 1335\(a\)](#).

Section was "Obtaining aged NJ SNAP benefits".

Annotations

Notes

[Chapter Notes](#)

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[N.J.A.C. 10:88-4.4](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 4. INACTIVE ACCOUNTS AND EXPUNGEMENT OF BENEFITS

§ 10:88-4.4 (Reserved)

History

HISTORY:

Amended by R.2014 d.171, effective November 3, 2014.

See: [46 N.J.R. 1315\(a\)](#), [46 N.J.R. 2156\(a\)](#).

In the introductory paragraph of (a), substituted "automated case file and issuance" for "FAMIS"; in (a)2 and (a)3, substituted "the State's automated case file and issuance system" for "FAMIS"; and in (a)3, substituted "State's automated case file and issuance" for "FAMIS".

Repealed by R.2023 d.083, effective July 3, 2023.

See: [54 N.J.R. 2062\(a\)](#), [55 N.J.R. 1335\(a\)](#).

Section was "Aging of cash cases".

Annotations

Notes

[Chapter Notes](#)

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[N.J.A.C. 10:88-5.1](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 5. REPLACEMENT OF BENEFITS AND CARDS

§ 10:88-5.1 Replacement of benefits

Cash and NJ SNAP benefits shall not be replaced once they are posted to a household's Families First account. A credit adjustment may be processed to correct a system error or an out-of-balance condition that is identified in the settlement process, such as an ATM misdispense.

History

HISTORY:

Amended by R.2014 d.171, effective November 3, 2014.

See: [46 N.J.R. 1315\(a\)](#), [46 N.J.R. 2156\(a\)](#).

Substituted "NJ SNAP" for "food stamp".

Annotations

Notes

[Chapter Notes](#)

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End of Document

[N.J.A.C. 10:88-5.2](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 5. REPLACEMENT OF BENEFITS AND CARDS

§ 10:88-5.2 Replacement of lost or stolen EBT cards

- (a) Replacement Families First cards shall be made available for pick up or placed in the mail within two business days from the date that the replacement request is made to the CWA.
- (b) Each Families First payee will be allowed two free replacement cards. A replacement fee of \$ 2.00 shall be collected from NJ SNAP or cash assistance recipients for the third and any subsequent replacement cards.
- (c) The total fee for replacing a non-public assistance NJ SNAP recipient's card shall be deducted automatically from the NJ SNAP benefit account. The total fee shall be deducted from the cash benefit account for cash-only cases. For household's receiving both cash assistance and NJ SNAP benefits, the fee shall be attempted first against the NJ SNAP account. If there are insufficient funds in the NJ SNAP account to cover the replacement fee, the fee will be attempted against the cash account. If neither account has sufficient funds available to cover the replacement fee, the system will create a pending status for the fee and it will be deducted from the next available benefit.
- (d) The CWA shall exempt the first card issued to a reopened case from the replacement fee by waiving the fee. In addition, individual waivers of the card replacement fee may be granted by the CWA for certain recipients based upon the client's level of incapacity or impairment. In the case of a stolen card, the fee shall be waived provided that there is a police report to document the theft of the card.

History

HISTORY:

Amended by R.2014 d.171, effective November 3, 2014.

See: [46 N.J.R. 1315\(a\)](#), [46 N.J.R. 2156\(a\)](#).

In (a), substituted "for pick up or placed in the mail within" for "no later than"; in (b), substituted "two" for "three" and "third" for "fourth"; and in (b) and (c), substituted "NJ SNAP" for "food stamp" throughout.

Annotations

Notes

[Chapter Notes](#)

§ 10:88-5.2 Replacement of lost or stolen EBT cards

End of Document

[N.J.A.C. 10:88-5.3](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 5. REPLACEMENT OF BENEFITS AND CARDS

§ 10:88-5.3 PIN re-selection

A recipient who has forgotten his or her PIN or whose PIN is compromised shall not be required to obtain a replacement card, provided his or her card is still in his or her possession and is not damaged. These recipients shall be allowed to select a new PIN at the CWA card issuance unit within two business days of notifying the CWA that their PIN has been forgotten or compromised.

Annotations

Notes

[Chapter Notes](#)

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[N.J.A.C. 10:88-6.1](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 6. FISCAL PROCEDURES

§ 10:88-6.1 NJ SNAP card replacement fees

Funds collected through replacement card fees will be an offset to the administrative cost category of each CWA initially charged to produce the replacement card. The dollar amount will be shown as a credit on Schedule A of the quarterly report, Form WFNJ-618, and the payment will be posted as an increasing adjustment to the funds due on the summary schedule.

History

HISTORY:

Amended by R.2014 d.171, effective November 3, 2014.

See: [46 N.J.R. 1315\(a\)](#), [46 N.J.R. 2156\(a\)](#).

Section was "Food Stamp card replacement fees".

Annotations

Notes

[Chapter Notes](#)

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[N.J.A.C. 10:88-6.2](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 6. FISCAL PROCEDURES

§ 10:88-6.2 NJ SNAP claims

- (a) Households shall be allowed to repay recipient claims using Families First benefits.
- (b) Any payments made using Families First NJ SNAP benefits should be reported on line 15 of the FNS-209, Status of Claims Against Households report.
- (c) CWAs shall ensure that involuntary claims repayments are not deducted from Families First accounts.
- (d) CWAs shall offset Families First NJ SNAP benefits that have been expunged against outstanding NJ SNAP claims. This collection would then be reported on line 3(b) of the FNS-209 report.

History

HISTORY:

Amended by R.2014 d.171, effective November 3, 2014.

See: [46 N.J.R. 1315\(a\)](#), [46 N.J.R. 2156\(a\)](#).

Section was "Food stamp claims"

Amended by R.2023 d.083, effective July 3, 2023.

See: [54 N.J.R. 2062\(a\)](#), [55 N.J.R. 1335\(a\)](#).

Rewrote the section.

Annotations

Notes

[Chapter Notes](#)

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[N.J.A.C. 10:88-6.3](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 6. FISCAL PROCEDURES

§ 10:88-6.3 WFNJ cash claims

- (a) CWAs shall offset Families First cash benefits that have been expunged against outstanding cash claims.
- (b) Expunged Families First cash benefits shall be credited on the CWA's fiscal reports.

History

HISTORY:

Amended by R.2023 d.083, effective July 3, 2023.

See: [54 N.J.R. 2062\(a\)](#), [55 N.J.R. 1335\(a\)](#).

Section was "Aged Families First cash benefits". Rewrote the section.

Annotations

Notes

[Chapter Notes](#)

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End of Document

[N.J.A.C. 10:88-6.4](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 56 No. 4, February 20, 2024

NJ - New Jersey Administrative Code > TITLE 10. HUMAN SERVICES > CHAPTER 88. FAMILIES FIRST PROGRAM > SUBCHAPTER 6. FISCAL PROCEDURES

§ 10:88-6.4 Security and control of Families First cards

(a) The CWA shall maintain a supply of Families First card stock in quantity sufficient to meet the demands of initial issuance and replacement.

(b) When a shipment of blank Families First cards is received by the CWA, the date of receipt and the primary account number of the first and last card in the shipment shall be checked against the card manifest and recorded by two CWA staff. Each subsequent distribution of Families First cards to CWA card issuance staff shall be checked and recorded in the same manner.

1. If any package shows signs of having been tampered with, then each card in that package shall be individually counted and compared with the card manifest. If any cards are missing, the CWA EBT coordinator shall be notified immediately and shall promptly deactivate those cards on the EBT system. The CWA chief investigator shall also be notified and shall file a report with the shipping agent concerning the circumstances and conduct an investigation.

(c) All supplies of Families First cards shall be maintained by the CWA Fiscal Unit in a secure area. Such area shall be separate from the area in which card forms/logs or records are kept.

(d) The CWA shall maintain a card log that contains the date of distribution, the number of cards dispensed and their PANs, as well as the signatures of both the Fiscal Unit staff member who dispenses the cards and the individual who receives them.

1. Completed log forms shall be retained for a period of three years. Such period shall commence with the most recent date of entry on the subject form.

2. Each subsequent receipt of a block of Families First cards shall be recorded on a separate form.

3. Families First cards shall be issued in numerical sequence within each block.

4. Any cancelled, damaged or returned cards shall be noted on the log form and shall be immediately identified as such on the EBT database.

i. Damaged or cancelled cards that are not required as part of an investigation shall be disposed of through shredding.

5. At the end of each working day, all unused cards shall be returned to a securely locked storage area. Returned unused cards shall be reconciled to the number of cards taken out of storage at the beginning of the day, less the number of cards issued that day. Under no circumstances shall any Families First cards be accessible to unauthorized persons or be left unsecured overnight.

(e) In circumstances where it appears that internal CWA security has been breached, the chief investigator, in coordination with the CWA EBT coordinator, shall take immediate steps to investigate the incident. This includes, but is not limited to, securing the originals of any documentation. These records shall be treated as possible evidence and handled in such a manner as to preserve any fingerprints.

Notes

[Chapter Notes](#)

NEW JERSEY ADMINISTRATIVE CODE

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