

DEPARTMENTAL GRANT APPEALS BOARD

Department of Health and Human Services

SUBJECT: New Jersey Department of Human Services DATE: January 29, 1981
Docket No. 81-3-NJ-CS
Decision No. 146

DECISION

The State appealed by letter dated December 31, 1980 from the November 24, 1980 determination of the Regional Representative, Region II, Office of Child Support Enforcement, disallowing Federal financial participation claimed under Title IV-D of the Social Security Act (Act) for the provision of child support enforcement services to persons not eligible for the Aid to Families with Dependent Children (AFDC) program. The costs, claimed for the quarter ended December 31, 1979, were disallowed on the ground that the State did not comply with the requirement in Section 454(6)(A) of the Act that services be provided to non-AFDC recipients only "upon application filed by such individuals with the State...."

The same issue was presented in several appeals filed by the State involving prior quarters. On November 23, 1980, the Board ruled on those appeals, concluding that the State's failure to obtain new applications from non-AFDC recipients who had previously applied for and received services under a wholly State-funded program was an appropriate ground for disallowance under Section 454(6)(A). New Jersey Department of Human Services, DGAB Docket Nos. 80-43-NJ-CS, 80-48-NJ-CS, 80-56-NJ-CS, Decision No. 135.

On January 12, 1980, the Board Chair issued an Order to Show Cause in the instant case. The Order stated that the State's application for review "does not show any basis for a different conclusion in the instant case" than in Decision No. 135, and directed the State to show cause why the appeal should not be denied based on that decision. The State's response, dated January 21, 1981, states only that the State relies on the briefs which it filed in the prior proceedings before this Board.

Accordingly, for the reasons set forth in Decision No. 135, we sustain the disallowance in full.

/s/ Cecilia Sparks Ford

/s/ Alexander G. Teitz

/s/ Norval D. (John) Settle, Panel Chair