



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 13787-18 L.B.

AGENCY DKT. NO. C113192008 (GLOUCESTER COUNTY DIV. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits because she is not a Work First New Jersey ("WFNJ") or Supplemental Security Income ("SSI") benefits recipient, and because she has exhausted her lifetime limits of EA benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 26, 2018, the Honorable John S. Kennedy, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On November 15, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner applied for EA benefits on September 12, 2018; however, after failing to come into compliance with her WFNJ/Temporary Assistance for Needy Families ("TANF") benefits requirements after entering into a Fair Hearing settlement, the Agency terminated Petitioner's WFNJ/TANF benefits, and consequently, denied Petitioner's application for EA benefits because she was no longer a WFNJ/TANF benefits recipient, nor was she an SSI benefits recipient. See Initial Decision at 2; see also Exhibit R-1 at 2, 18, and N.J.A.C. 10:90-6.2. The Agency also denied Petitioner EA benefits, contending that she had exhausted the 12-month lifetime limit of EA benefits, and did not meet the requirements for an extreme hardship extension of said benefits. See Initial Decision at 2; see also Exhibit R-1 at 3, and N.J.A.C. 10:90-6.4(a), (b). Petitioner agreed that she had received 23 months of EA benefits and did not qualify for an extreme hardship extension. See Initial Decision at 2. Petitioner further testified that she was unable to come into compliance with her WFNJ/TANF benefits Fair Hearing settlement requirements because she did not have a bus pass to attend her appointments. *Ibid.* However, based on the record and testimony presented, the ALJ agreed with the Agency determination and affirmed the denial EA benefits to Petitioner. *Id.* at 3-4; see also Exhibit R-1 at 2, 3, and N.J.A.C. 10:90-6.2(a), -6.4(a). I agree.

No Exceptions to the Initial Decision were received.

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 final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

By way of comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with her current needs, including Social Services for the Homeless.

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



Officially approved final version.

DEC 20 2018

Natasha Johnson

Director

