



State of New Jersey

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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 01710-18 L.P.

AGENCY DKT. NO. C283857007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits in the form of a security deposit or in the alternative, for a shelter placement. The Agency denied Petitioner EA benefits contending that she had exhausted her lifetime limit of EA benefits, and was not eligible for any available extensions. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 5, 2018, the Honorable John P. Scollo, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On February 6, 2018, the ALJ issued an Initial Decision affirming the Agency's determination. Here, the record indicates that Petitioner is a Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits recipient, who has received 31 months of EA benefits. See Initial Decision at 2; see also Exhibit R-5. Petitioner's household consists of herself, a dependent daughter, and a dependent son, who is a Supplemental Security Income ("SSI") benefits recipient. See Initial Decision at 2; see also Exhibit R-4 at 2. Based on the foregoing, the ALJ found that Petitioner has exhausted her lifetime limit of EA benefits, plus all available extensions, and that the Agency properly denied EA benefits to Petitioner. See Initial Decision at 3-4; see also Exhibit R-6, and N.J.A.C. 10:90-6.4(a), (b), (d). I agree.

No Exceptions to the Initial Decision were received.

As the Director of the Division of Family Development ("DFD"), 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 in this matter.

Additionally, in accordance with DFD Instruction ("DFDI") 17-01-01, upon the Agency's receipt of the Final Agency Decision ("FAD"), I direct that the Agency schedule Petitioner for an interview and offer Petitioner a referral to the Intensive Case Management ("ICM") vendor, if appropriate. Petitioner is advised that this scheduled meeting is mandatory, and that failure to attend may result in Petitioner being ineligible for ICM services. *Ibid.* Petitioner must formally consent, in writing, to accept ICM services, including the transfer of her personal information to the ICM vendor, before a referral can be made. Petitioner is advised that failure to accept ICM services will make her ineligible for ICM services at any future date. The Agency shall document the outcome of that meeting.

Finally, should Petitioner consent to participate in the ICM program, the Agency is instructed to fax or email said referral to the ICM vendor on the date of the interview, along with this FAD and any other information and documents as set forth in DFDI 17-01-01 at 2.



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

Officially approved final version.

**FEB 12 2018**

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Natasha Johnson

Director

