



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 06970-18 L.W.

AGENCY DKT. NO. C247830007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency terminated Petitioner's WFNJ/GA benefits contending that she did not apply for Supplemental Security Income ("SSI") benefits as directed to by the Agency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 6, 2018, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On June 7, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Based on the testimony of the parties and the documentation presented, Petitioner, a seventy-year-old WFNJ/GA benefits recipient, was asked to apply for SSI benefits by the Agency, and admitted that she did not. See Initial Decision at 2; see also Exhibit P-1. The Agency provided Petitioner with contacts for Legal Services and the Mental Health Law Project to assist her, but Petitioner refused help. See Initial Decision at 2; see also Exhibit R-1. Therefore, because Petitioner failed to apply for other potentially available benefits, as required by regulation, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/GA benefits was proper and must stand. See Initial Decision at 3; see also N.J.A.C. 10:90-1.12. I agree.

Exceptions to the Initial Decision were filed by Petitioner on June 22, 2018.

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.

By way of comment, I have reviewed the Exceptions submitted on behalf of Petitioner, and I find that the arguments made therein do not alter my decision. Additionally, in response to Petitioner's assertions that her full name should be used in connection with fair hearings, Petitioner is hereby advised of the confidential nature of DFD hearings as mandated by N.J.A.C. 10:90-7.7. Information regarding applicants or recipients of WFNJ benefits may be disclosed only for purposes directly related to the administration of public assistance. See N.J.A.C. 10:90-7.7(a). As a fair hearing is not "the administration" of public assistance, confidentiality of the applicant or recipient must be ensured, and that is why only an applicant or recipient's initials are utilized in fair hearings. See N.J.A.C. 10:90-7.7(c)(1).



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

Officially approved final version.

JUL 03 2018

Natasha Johnson
Director

