



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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Commissioner

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Lt. Governor

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 11688-18 M.T.

AGENCY DKT. NO. C149786003 (BURLINGTON COUNTY BD. OF SOC. SVCS)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits contending that she had exhausted her 12-month lifetime limit of EA benefits, plus all available extreme hardship extensions. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 6, 2018, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On September 27, 2018, the ALJ issue an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination.

Under the Work First New Jersey ("WFNJ") regulations, EA benefits are limited to 12 cumulative months during the lifetime of a case, plus limited extensions. See N.J.A.C. 10:90-6.4(a) and -6.4(b). A WFNJ/Temporary Assistance for Needy Families ("TANF") recipient may qualify for up to two six-month extensions of EA benefits when an "extreme hardship" exists pursuant to the criteria set forth in N.J.A.C. 10:90-6.4(b)(1). See N.J.A.C. 10:90-6.4(d). Thus, the maximum amount of EA benefits that a WFNJ/TANF benefits recipient may receive is 24 months.

Here, the record reflects that Petitioner, a WFNJ/TANF benefits recipient, had received 24 months of EA benefits as of August 1, 2018. See Initial Decision at 2; see also Exhibit R-5. Based on the foregoing, the ALJ concluded that Petitioner has exhausted her lifetime limit of EA benefits, plus all available extreme hardship extensions, and therefore, that the Agency's termination of Petitioner's EA benefits was proper and must stand. See Initial Decision at 5-6; see also Exhibit R-1, and N.J.A.C. 10:90-6.4(a), (b), (d). I agree.



By way 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 is hereby ADOPTED, and the Agency's action is AFFIRMED.

Officially approved final version.

OCT 09 2018

Natasha Johnson

Director

