



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 00829-18 S.T.

AGENCY DKT. NO. C054162018 (SOMERSET COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") cash benefits due to exhaustion of the 60-month lifetime limit for receipt of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On February 13, 2018, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On February 27, 2018, the ALJ issued an Initial Decision, affirming a purported termination of Emergency Assistance ("EA") benefits.

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 record in this matter and the ALJ's Initial Decision, and having made an independent evaluation of the record, I REJECT the Initial Decision and REMAND the matter to the OAL for rehearing.

I note that the transmittal in this matter reflects a contested issue regarding a denial of WFNJ/TANF benefits due to Petitioner having exhausted her 60-month lifetime limit of said benefits. However, the ALJ did not make any findings regarding a denial of WFNJ/TANF benefits to Petitioner, but rather, made findings of fact and conclusions of law, and rendered a decision related to a purported exhaustion of Petitioner's lifetime limit for receipt of EA benefits, and a supposed termination of EA benefits, with no EA documentation in the record to substantiate such a determination on that issue. See Initial Decision at 1-5. Notably, the documents admitted into evidence all relate to a termination of Petitioner's WFNJ/TANF benefits due to exhaustion, and what appears to be a denial of an exemption from the WFNJ/TANF benefits 60-month lifetime time limit. See Exhibit R-1. Therefore, I respectfully disagree with, and hereby reject, the ALJ's Initial Decision and remand this matter back to the OAL for rehearing on the appropriate contested issue.

Based upon the foregoing, the Initial Decision is REJECTED and the matter is REMANDED to the OAL for rehearing, as discussed above, on an expedited basis.

Officially approved final version.

MAR 26 2018

Natasha Johnson
Director



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