



State of New Jersey

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Governor

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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 11184-18 T.M.

AGENCY DKT. NO. C385140007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of an extension of Emergency Assistance ("EA") benefits under the Provisional Housing-Awaiting Supplemental Security Income/Social Security Disability Insurance Eligibility ("PHASE") Pilot Program. The Agency denied Petitioner EA benefits contending that she has exhausted her lifetime limit of EA benefits, plus all available extreme hardship extensions, and does not meet the criteria for an extension of EA benefits under PHASE. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 21, 2018, the Honorable Kelly J. Kirk, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On August 27, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that Petitioner, a Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits recipient, has exhausted her 12-month lifetime limit of EA benefits, plus two six-month extreme hardship extensions, and does not qualify for an extension of EA benefits under PHASE. See Initial Decision at 3; see also Exhibit R-3, and N.J.A.C. 10:90-6.4(a), (b), (d), and -6.9. Specifically, the ALJ found that Petitioner did not qualify for an extension of EA benefits under PHASE because she is not permanently disabled, as evidenced by a 12-month MED-1 form, and that she did not have a Supplemental Security Income ("SSI") application or appeal pending. See Initial Decision at 3; see also N.J.A.C. 10:90-6.9(a). Based on the foregoing, the ALJ concluded that the Agency's denial of an extension of EA benefits to Petitioner under PHASE was proper and must stand. See Initial Decision at 3; see also Exhibit R-2. 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 is hereby ADOPTED, and the Agency's determination is AFFIRMED.



Officially approved final version.

OCT - 3 2018

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Natasha Johnson  
Director

