



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

CAROLE JOHNSON
Commissioner

SHEILA Y. OLIVER
Lt Governor

TRENTON, NJ 08625-0716

NATASHA JOHNSON
Assistant Commissioner

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 16666-19 A.B.

AGENCY DKT. NO. C276121009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that he moved to New Jersey ("NJ") without a plan for self-sufficiency. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 27, 2019, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On November 27, 2019, the ALJ issued an Initial Decision, reversing the Agency's determination. Based on Petitioner's particular circumstances, I concur with the ALJ's conclusion that Petitioner is eligible for EA benefits, and the reversal of the Agency's denial of EA benefits to Petitioner. See Initial Decision at 3-4; see also "Notification Form," and N.J.A.C. 10:90-6.1(c).

Exceptions to the Initial Decision were received from the Agency on December 5, 2019.

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, Petitioner is advised that the Agency shall determine the most appropriate form of EA benefits required to address his housing needs, which may include shelter placement. See N.J.A.C. 10:90-6.3(a)(1). Additionally, Petitioner is reminded that he will need to comply with all Work First New Jersey requirements, including obtaining a completed MED-1 form, as applicable.

By way of further comment, the Agency is reminded that Exceptions in emergent fair hearings are due the following business day after receipt of the Initial Decision. See N.J.A.C. 1:10-12.2(a)(4). I note that the records of this office reflect that the Initial Decision was relayed to the Agency electronically, via email, on November 27, 2019, and the submitted Exceptions were not received by this office until a week later. Moreover, I have reviewed the Exceptions submitted by the Agency, and I find that the arguments made therein do not alter my decision in this matter.



Also by way of further comment, as the record indicates that Petitioner may have an open case with the Division of Child Protection and Permanency ("DCPP"), a copy of the Initial and Final Decisions shall be forwarded to DCPP.

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

Officially approved final version.

Natasha Johnson
Assistant Commissioner

DEC - 5 2019

