



State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT  
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TRENTON, NJ 08625-0716

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 05539-19 A.G.

AGENCY DKT. NO. C158231009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's denial of an extension of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that she had exhausted her lifetime limit of EA benefits and did not qualify for an extension of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 9, 2019, the Honorable Irene Jones, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On June 18, 2019, the ALJ issued 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, as discussed below.

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, has received 24 months of EA benefits, and as such she has exhausted her 12-month lifetime limit of EA benefits, plus two six-month extreme hardship extensions. See Initial Decision at 2; see also Exhibit R-1, and N.J.A.C. 10:90-6.4(a), (b), (d). Consequently, Petitioner applied for an extension of EA benefits pursuant to the recently promulgated State of New Jersey Senate Bill, No. S866, P.L. 2018, c. 164, effective December 20, 2018 ("S866"), which extends EA benefits eligibility for certain categories of individuals. See Initial Decision at 2; see also Exhibit R-2. The Agency denied Petitioner an extension of EA benefits under S866, contending that she did not qualify for such extension on the basis that she did not provide evidence of a 12-month disability, or meet the other qualifications for such extension. See Initial Decision at 2;



see also Exhibits R-2, R-3, and S866. Petitioner conceded that she did not meet the requirements for an extension under S866. See Initial Decision at 2. Accordingly, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 2-3; see also Exhibit R-1. I agree.

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.

**JUL 18 2019**

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Natasha Johnson  
Director

