



State of New Jersey

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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 **06919-19 H.C.**

AGENCY DKT. NO. **S723456009 (HUDSON COUNTY DEPT OF FAM SVCS)**

Petitioner appeals from the Respondent Agency's sanctioning and termination of Work First New Jersey/General Assistance ("WFNJ/GA") benefits and the termination of Emergency Assistance ("EA") benefits. The Agency sanctioned and terminated Petitioner's WFNJ/GA benefits, contending that he failed to comply with WFNJ protocol, and terminated his EA benefits because he was no longer a WFNJ benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 6, 2019, the Honorable Mumtaz Bari-Brown, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On June 24, 2019, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the record reflects that the Agency sanctioned and terminated Petitioner's WFNJ/GA benefits, effective April 1, 2019, for failure to attend a scheduled redetermination meeting in March 2019, which was required to determine Petitioner's continued eligibility for WFNJ/GA benefits. See Initial Decision at 2; see also N.J.A.C. 10:90-3.22, -4.13. Consequently, at that same time, Petitioner's EA benefits were also terminated because Petitioner was no longer a WFNJ benefits recipient, nor was he a Supplemental Security Income ("SSI") benefits recipient. See Initial Decision at 2; see also N.J.A.C. 10:90-6.2(a). However, the ALJ found that the Agency had sent the notice of the mandatory hearing date to the wrong address. See Initial Decision at 2. Subsequently, the Agency corrected Petitioner's address, Petitioner appeared for his redetermination meeting on May 20, 2019, and the Agency rescinded the sanction and reinstated Petitioner's WFNJ/GA and EA benefits, effective May 2019. *Ibid.* Petitioner contends that he acted timely, and is seeking WFNJ/GA and EA benefits for the month of April 2019. *Id.* at 3. Based on the Agency's inadvertent error in sending the notice of March 2019, redetermination meeting to the wrong address, and Petitioner's subsequent compliance, the ALJ concluded that Petitioner is eligible for retroactive WFNJ/GA and EA benefits for the month of April 2019. *Id.* at 3-4. 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.

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

Officially approved final version.

SEP - 4 2019

Natasha Johnson

Director

