



## State of New Jersey

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*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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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 **05159-24 A.J.**

AGENCY DKT. NO. **C190356020 (UNION COUNTY DIVISION OF SOC. SVCS.)**

Petitioner appeals from Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency terminated Petitioner's WFNJ/TANF benefits, contending that she had exhausted her 60-month lifetime limit of said benefits, and did not qualify for exemption of the WFNJ/TANF benefits time limit. Because Petitioners appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 14, 2024, and July 9, 2024, the Honorable Bindi Merchant, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record closed on July 22, 2024. On July 26, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination.

Exceptions to the Initial Decision were filed by Legal Services, on behalf of Petitioner, on August 2, 2024.

As Assistant Commissioner, Division of Family Development ("DFD"), 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.

Pursuant to N.J.A.C. 10:90-2.4(a)(3)(i) a WFNJ recipient is exempt from the 60-month cumulative lifetime WFNJ limit if a "physical or mental impairment, defect or injury prevents him or her from engaging in full-time employment for a period of 12 or more months ... on a minimum of one WFNJ/MED-1, Examination Report."

The Supportive Assistance for Individuals and Families ("SAIF") program, assists eligible WFNJ recipients to become self-sufficient before they exhaust their 60-month WFNJ lifetime limit. See N.J.A.C. 10:90-2.20(a). The 24-month program offers intensive case management to individuals who have received 48 months of WFNJ benefits, who have complied with WFNJ requirements, have not become self-sufficient, and who do not appear to be exempt from the 60-month lifetime limit under N.J.A.C. 10:90-2.4. Ibid. SAIF participants are eligible for an extension of WFNJ cash benefits, social, and work support services for up to 12 additional months beyond the 60-month lifetime limit, or a maximum of 72 months. See N.J.A.C. 10:90-2.20(c) and (g). Further, "[t]he individual shall fully participate in the SAIF program to continue receiving case assistance benefits. If a SAIF participant fails to cooperate with SAIF requirements without good cause, the WFNJ case shall be closed." See N.J.A.C. 10:90-2.20(d); see also DFD Instruction ("DFDI") No. 11-1-2 at 12.

Here, based on an independent review of the record, I find, and the record substantiates, that at the time of the Agency's termination of WFNJ/TANF benefits, Petitioner had received at least 70 months of WFNJ benefits, as of January 1, 2024, and was noncompliant with the SAIF program at that time. See Initial Decision at 2; see also Exhibits R-1, R-2, R-3, and N.J.A.C. 10:90-2.20(d). I also find that at the time of the Agency's termination, effective February 1, 2024, Petitioner had not provided the Agency with a valid MED-1 form required for Petitioner to be found eligible for an exemption from the



WFNJ lifetime limit. See Initial Decision at 3-4; see also Exhibits J-1, J-2, and N.J.A.C. 10:90-2.4(a)(3). Based on the foregoing, I concur with the ALJ's conclusion that, at the time of the Agency's February 1, 2024, termination of Petitioner's WFNJ benefits, Petitioner had exhausted her lifetime limit of WFNJ/TANF benefits, was ineligible for an exemption from those time limits, and as such, that said termination of Petitioner's WFNJ/TANF benefits was proper and must stand. See Initial Decision at 3-4; see also Exhibit R-2, and N.J.A.C. 10:90-2.3(a). Additionally, the record also reflects that Petitioner provided the Agency with a valid MED-1 form on February 28, 2024, and thereafter reapplied for WFNJ benefits on April 26, 2024. See Initial Decision at 2, 3; see also Exhibit J-3. Petitioner was subsequently found eligible for an exemption from the WFNJ 60-month lifetime limit on May 16, 2024, and received WFNJ/TANF benefits retroactive to the date of her reapplication, April 26, 2024. See Initial Decision at 3; see also Exhibits R-4, R-5, and N.J.A.C. 10:90-2.4(a)(3). Based on the facts presented, I find Petitioner's claim for retroactive WFNJ/TANF benefits between February 1, 2024, to April 25, 2024, to be unfounded.

By way of comment, I have reviewed the Exceptions submitted on behalf of Petitioner, and I find that the arguments made therein do not alter my decision in this matter.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is AFFIRMED, as outlined above.

Officially approved final version. September 19, 2024

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Natasha Johnson  
Assistant Commissioner

