



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 **05867-24 A.M.**

AGENCY DKT. NO. **S454748006 (CUMBERLAND COUNTY BD OF SOC SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits, contending that he had exhausted his lifetime limit of EA benefits, and did not qualify for a further extension of EA benefits at the present time. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. The hearing was originally scheduled on an emergent basis for May 9, 2024, but was adjourned at Petitioner's request and thereafter converted to a non-emergent matter. On May 13, 2024, the Honorable Catherine A. Tuohy, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On May 24, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination that Petitioner has reached his lifetime limit of EA benefits. Here, the ALJ found, and the record substantiates, that Petitioner has received his lifetime limit of EA benefits, and currently does not qualify for any further extension of any kind. See Initial Decision at 2-4; see also N.J.A.C. 10:90-6.4(a), (b), (c). Of note, the record also reflects that, at the time of the EA termination in this matter, Petitioner did not meet the criteria for an extension of EA benefits under the Emergency Assistance for Special Groups ("EASG") pilot program, as he had not submitted a MED-1 form, needed to establish permanent disability. See Initial Decision at 6; see also the State of New Jersey Senate Bill, No. S3960, P.L. 2023, c. 198, effective December 21, 2018 ("S3960"), now codified at N.J.S.A. 44:10-51(a)(3), also known as EASG (extending EA benefits eligibility for certain categories of individuals, including, but not limited to WFNJ recipients who are permanently disabled, as documented by a twelve-month MED-1 Form, and Supplemental Security Income ("SSI") benefits recipients), and Division of Family Development Instruction ("DFDI") No. 24-03-01. Based on the foregoing, the ALJ concluded that the Agency's termination of EA benefits to Petitioner was proper and must stand. See Initial Decision at 7; see also Exhibit R-1. I agree.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, DFD, 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 transmittal in this matter reflects an additional transmitted issue in this case regarding a denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits which was not addressed in the Initial Decision. If Petitioner still has an issue with a denial of WFNJ/GA benefits, he may request another fair hearing on that issue alone.

By way of further comment, should Petitioner obtain a current MED-1 form, he is without prejudice to apply for an extension of EA benefits.



Also, by way of comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with his 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. June 20, 2024

Natasha Johnson
Assistant Commissioner

