



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 13982-23 A.R.

AGENCY DKT. NO. C124073013 (MONMOUTH COUNTY DIV. 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 an extreme hardship extension of EA benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 14, 2024, the Honorable Kim C. Belin, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. However, Petitioner's cell phone died during the proceedings, and the hearing was rescheduled for February 26, 2024. At the request of the parties, the rescheduled hearing was again rescheduled for March 21, 2024, at which time the hearing proceeded, and the record closed.

On April 11, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found, that Petitioner had received 12 months of EA benefits, and as such, had exhausted his lifetime limit of EA benefits, and further, found that Petitioner did not qualify for an extreme hardship extension of EA benefits. See Initial Decision at 4-5; see also N.J.A.C. 10:90-6.4(a), (b), (d). Specifically, the ALJ found that Petitioner had not followed through on the application process for Supplemental Security Income ("SSI") benefits, nor did he have a MED-1 form indicating a 12-month disability, both required elements, in the case at hand, for an extreme hardship extension of EA benefits. See Initial Decision at 4-5; see also Exhibits P-3, R-4, R-5, and N.J.A.C. 10:90-6.4(b)(2). The record also reflects that Petitioner had been denied SSI benefits, and had failed to provide proof that he had appealed that denial. See Initial Decision at 5; see also Exhibits P-4, R-5. Of note, the record also reflects that Petitioner does not meet the criteria for an extension of EA benefits under the Emergency Assistance for Special Groups ("EASG") pilot program. See Initial Decision at 2-5; see also Exhibits R-4, R-5, and the State of New Jersey Senate Bill, No. S866, P.L. 2018, c. 164, effective December 20, 2018 ("S866"), and the State of New Jersey Senate Bill, No. S3960, P.L. 2023, c. 198, effective December 21, 2023 ("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 SSI benefits recipients), and Division of Family Development Instruction ("DFDI") No. 24-03-01. Accordingly, the ALJ concluded that the Agency's termination of EA benefits to Petitioner was proper and must stand. See Initial Decision at 5; see also Exhibit R-6, and N.J.A.C. 10:90-6.4(b)(2). 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, because Petitioner has received continued assistance pending the outcome of this fair hearing, his six-month EA penalty will begin to run as of the date of the issuance of this Final Agency Decision.

By way of further 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. May 21, 2024

Natasha Johnson
Assistant Commissioner

