



State of New Jersey

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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 **05635-24 E.R.**

AGENCY DKT. NO. **S646444012 (MIDDLESEX 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. On June 17, 2024, the Honorable Allison Friedman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was held open to permit Petitioner to submit additional documentation, and when none was received, the record then closed on June 25, 2024.

On July 11, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination. 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. See Initial Decision at 3; see also Exhibits R-7, R-8, and N.J.A.C. 10:90-6.4(a), (b), (c). Petitioner began receiving EA benefits in October 2022, and continued to receive EA benefits through April 2024. See Initial Decision at 3. In October 2023, Petitioner received a hardship extension of six-months due to an injury that led to his inability to work. Ibid.; see also Exhibit R-16. Thereafter, Petitioner was notified on March 18, 2024 that his EA benefits would terminate effective April 18, 2024, and he was provided with an application and instructions for the Emergency Assistance for Specific Groups ("EASG") pilot program. See Initial Decision at 3.; see also Exhibit R-9. On April 12, 2024, the Agency received a MED-1 form, required for an extension of EA under EASG, via fax, however, upon review the form lacked a specific diagnosis for Petitioner and the general diagnosis provided was insufficient, which led to a denial of an extension of Petitioner's benefits. See Initial Decision at 3; see also Exhibit R-13. The Agency reached out to both Petitioner and his doctor regarding the incomplete MED-1 form, and the reason for the denial of the EA benefits extension, but Petitioner made no effort to resolve the incomplete MED-1 form, or otherwise resolve his emergency. Ibid.

The record shows 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 EASG pilot program, as he had not submitted a completed MED-1 form, including a specific diagnosis, needed to establish permanent disability. See Initial Decision at 3-4; 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) (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 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 Petitioner's EA benefits was proper and must stand. See Initial Decision at 3-4; see also Exhibit R-13. I agree.

No Exceptions to the Initial Decision were received.



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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, should Petitioner obtain a current, complete MED-1 form, he is without prejudice to reapply for an extension of EA benefits under the EASG pilot program.

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. August 15, 2024

Natasha Johnson
Assistant Commissioner

