



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 **09757-24 J.A.**

AGENCY DKT. NO. **C117724006 (CUMBERLAND COUNTY BD OF SOC SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency terminated Petitioner's WFNJ/GA benefits, contending that he failed to provide proof of a Supplemental Security Income ("SSI") benefits application required for continued WFNJ/GA benefits eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 14, 2024, the Honorable William T. Cooper III, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, admitted documents, and the record was closed. On September 3, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, 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 hereby ADOPT the Initial Decision and AFFIRM the Agency's determination, based on the discussion below.

An applicant or recipient of WFNJ benefits may be required to apply for various benefits including SSI. See N.J.A.C. 10:90-1.12. An applicant or recipient who refuses or neglects to apply for these benefits within 30 days of written notification, without good cause, shall be ineligible to receive cash assistance. Ibid.

WFNJ/GA benefits recipients who are unable to engage in regular work activities due to chronic illness and/or a physical or mental disability or impairment, may be deferred from the mandatory work requirement upon presentation of a 12-month MED-1 form. See N.J.A.C. 10:90-4.10(a)(2). Additionally, individuals who receive a work deferral due to a permanent disability will be required to apply for SSI benefits. See N.J.A.C. 10:90-4.10(a)(2)(i).

Here, as of March 2024, Petitioner had received WFNJ/GA benefits for fifty-nine total months and had a medical deferral that was due to expire on March 28, 2024. See Initial Decision at 2. On January 29, 2024, the Agency sent Petitioner a MED-1 form and requested that he provide verification that he had applied for SSI benefits. See Initial Decision at 5; see also Exhibit R-1 at 8. On February 26, 2024, a review of Petitioner's case revealed no MED-1 was received and no verification of an application for SSI benefits had been submitted. See Initial Decision at 2. As a result, the Agency sent Petitioner notice advising that a completed MED-1 form and verification of application for SSI benefits must be returned to the Agency by March 21, 2024. See Initial Decision at 3, 5; see also Exhibit R-1 at 9. Subsequently, the Agency received Petitioner's completed MED-1 form, however, Petitioner had not submitted verification of an application for SSI benefits, and as a result, the Agency terminated Petitioner's WFNJ/GA benefits on March 18, 2024. See Initial Decision at 6; see also Exhibit R-1 at 2.



As outlined above, applicable regulatory authority requires WFNJ benefits recipients to apply for any or all other benefits, including SSI, for which they may be eligible. See N.J.A.C. 10:90-1.12, -2.2(a)(3), -4.10(a)(2)(i). In the present matter, Petitioner was required to provide the Agency with proof that he had applied for SSI benefits by March 21, 2024. See Initial Decision at 5; see also Exhibit R-1 at 8, 9, and N.J.A.C. 10:90-1.12, 2.2(a)(3), (5). Although disputed by Petitioner, the ALJ found that Petitioner had failed to provide the Agency with such proof until May 21, 2024, which was after the Agency's March 18, 2024, notice of termination, and without good cause. See Initial Decision at 3-6; see also Exhibit R-1 at 2-4, N.J.A.C. 10:90-1.12, -2.2(a)(3), (5), -4.10(a)(2)(i). The record also reflects that the Agency had sent notice to Petitioner to remind him that such proof was required. Ibid.; see also Exhibit R-1 at 8, 9. Based on Petitioner's failure to apply for SSI benefits as required, and no good cause having been established for such failure to cooperate or comply with the applicable regulations, the ALJ concluded that the Agency's March 18, 2024, termination of Petitioner's WFNJ/GA benefits was proper and must stand. See Initial Decision at 7. I agree.

By way of comment, Petitioner is without prejudice to reapply for WFNJ/GA benefits, but is reminded that he must provide all required documentation needed to determine his WFNJ/GA benefits eligibility.

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

Officially approved final version.

October 08, 2024

Natasha Johnson

Assistant Commissioner

