



## State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
PO BOX 716

SARAH ADELMAN  
*Commissioner*

TAHESHA L. WAY  
*Lt. Governor*

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

AMENDED DECISION

OAL DKT. NO. HPW **02350-24 N.B.**

AGENCY DKT. NO. **C091152018 (SOMERSET COUNTY BOARD OF SOC. SVCS.)**

On March 7, 2024, a Final Agency Decision ("FAD") was issued in this matter. This Amended FAD is being issued to correct an administrative error and hereby supersedes the previously issued FAD.

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that she was not a Work First New Jersey ("WFNJ") benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On February 28, 2024, the Honorable Sarah H. Surgent, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On February 29, 2024, the ALJ issued an Initial Decision, affirming the Agency's denial of EA benefits to Petitioner on the basis that Petitioner was not a WFNJ benefits recipient.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I hereby ADOPT the Initial Decision in this matter, and AFFIRM the Agency's determination.

Only WFNJ and Supplemental Security Income ("SSI") recipients are eligible for EA benefits. N.J.A.C. 10:90-6.2(a).

Here, the record indicates that Petitioner applied for EA and WFNJ/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits on January 12, 2024. See Initial Decision at 2. Petitioner was initially given housing placement on an immediate need basis. Ibid; see also N.J.A.C. 10:90-1.3 and DFD Instruction ("DFDI") 19-04-01. Petitioner's application for WFNJ/TANF benefits was subsequently denied, and consequently, the Agency then denied Petitioner's application for EA benefits on February 15, 2024. See Initial Decision at 2, 3; see also Exhibit R-C. Based on the fact that Petitioner was not a WFNJ or SSI benefits recipient, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 4; see also Exhibit R-C. I agree.

By way of comment, the transmittal in this case reflects that Petitioner did appeal an issue pertaining to the denial of WFNJ/TANF benefits, which was not addressed by the ALJ in this matter. Therefore, if Petitioner still has an issue with respect to a denial of WFNJ/TANF benefits, she is without prejudice to request another fair hearing with respect to that issue alone.

By way of further comment, Petitioner is without prejudice to reapply for WFNJ and EA benefits, if she has not already done so, and should her circumstances warrant, but is reminded that she must provide all information and documentation necessary to determine eligibility.



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

Officially approved final version. May 21, 2024

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Natasha Johnson  
Assistant Commissioner

