



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 **09986-24 S.J.**

AGENCY DKT. NO. **C086640011 (MERCER COUNTY BOARD 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 she had exhausted her life time limit of EA benefits, plus all available extensions. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 25, 2024, the Honorable Gauri Shirali Shah, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On October 9, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that Petitioner had applied for, and began to receive EA benefits in February, 2023. See Initial Decision at 2. At the time of her February 2023, EA benefits approval, Petitioner had already received thirty-four months of EA benefits, inclusive of two six-month hardship extensions. Ibid. Petitioner executed an EA Service Plan ("SP") on May 5, 2023, identifying goals including applying for subsidized housing and providing her assigned Agency social worker with the details of her Section 8 housing voucher. Ibid.; see also Exhibit R-3. The EA SP informed Petitioner that her final month of eligibility for EA would be January, 2024, at which time her lifetime limit of EA benefits would be exhausted, and she would be ineligible for any additional extensions. See Initial Decision at 2. On February 1, 2024, Petitioner was noticed that her EA benefits would be terminated effective March 1, 2024, as she had received forty-one total months of EA benefits inclusive of all hardship extensions. See Initial Decision at 3; see also Exhibit R-9. The ALJ found, and the record substantiates, that, following application of the seven-year disregard, Petitioner was allowed an additional 12 months of EA benefits, which expired at the end of February 2024. See Initial Decision at 3; see also Exhibits R-5, R-6, R-7, Division of Family Development Instruction ("DFDI") 19-07-01, and N.J.S.A. 44:10-51(a)(4) (also known as [EA] 7-Year Disregard which provides, in part, that "all months of emergency assistance received more than 84 months from the date of application for emergency assistance shall not be counted toward the cumulative 12-month limit of emergency assistance"). Petitioner has been receiving continued assistance pending the outcome of her hearing since March 1, 2024. See Initial Decision at 3. Based on the record provided, the ALJ concluded that the Agency had proven that Petitioner had exhausted her lifetime limit of EA benefits, plus all available extensions. Ibid.; see also N.J.A.C. 10:90-6.4(a), (b). 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.

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



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Officially approved final version. December 05, 2024

Natasha Johnson
Assistant Commissioner

