



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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NATASHA JOHNSON
Director

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 10489-18 A.C.

AGENCY DKT. NO. C300767007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of an extension of Emergency Assistance ("EA") benefits in the form of back utility payments. The Agency denied an extension of EA benefits to Petitioner contending that she had exhausted her lifetime 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 August 1, 2018, the Honorable Joann LaSala Candido, Administrative Law Assignment Judge (hereinafter "ALJ"), held a plenary hearing, took testimony, and admitted documents. On that same date, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination.

Under the Work First New Jersey ("WFNJ") regulations, EA benefits are limited to 12 cumulative months during the lifetime of a case, plus limited extensions. See N.J.A.C. 10:90-6.4(a) and -6.4(b). A WFNJ/Temporary Assistance for Needy Families ("TANF") recipient may qualify for up to two six-month extensions of EA benefits when an "extreme hardship" exists pursuant to the criteria set forth in N.J.A.C. 10:90-6.4(b)(1). See N.J.A.C. 10:90-6.4(d). Thus, the maximum amount of EA benefits that a WFNJ/TANF benefits recipient may receive is 24 months.

Here, the record reflects that Petitioner had received 24 months of EA benefits through August 2012, while receiving WFNJ/TANF benefits. See Initial Decision at 2; see also Exhibit R-5. Based upon the evidence presented, the ALJ concluded that Petitioner has exhausted her lifetime limit of EA benefits, plus all available extensions, and that there is no regulatory authority by which the Agency may grant Petitioner additional EA benefits. See Initial Decision at 3, see also N.J.A.C. 10:90-6.4(a), (b), (d). Moreover, the record in this matter indicates that Petitioner is employed and also receives Supplemental Nutrition Assistance Program ("SNAP") benefits. See Initial Decision at 2. As such, the



ALJ concluded that the Agency's denial of an extension of EA benefits to Petitioner was proper and must stand. See Initial Decision at 3; see also Exhibit R-4. I agree.

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

Officially approved final version.

AUG 13 2010

Natasha Johnson

Director

