



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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Commissioner

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TRENTON, NJ 08625-0716

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 02030-18 J.M.

AGENCY DKT. NO. S451717006 (CUMBERLAND COUNTY BD OF SOC SVCS.)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency terminated Petitioner's WFNJ/TANF benefits contending that he had exhausted his lifetime limit of said benefits, and did not qualify for an exemption from the WFNJ benefits time limit. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 2, 2018, the Honorable Elaine B. Frick, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On May 22, 2018, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the record reflects that Petitioner has received 70 cumulative months of combined WFNJ/General Assistance ("GA") and WFNJ/TANF benefits, and as such, he has exhausted his lifetime limit of said benefits. See Initial Decision at 2; see also Exhibit R-1 at 13, 14, and N.J.A.C. 10:90-2.3(a). Petitioner applied for an exemption from the WFNJ benefits time limit, and provided the Agency with a MED-1 form completed by his physician, indicating a 12-month disability from December 11, 2017, through December 11, 2018. See Initial Decision at 2-5; see also Exhibit R-1 at 19, and N.J.A.C. 10:90-2.4(a)(3)(i). The record also indicates that Petitioner has a Supplemental Security Income ("SSI") appeal pending, as well as legal representation in that appeal. See Initial Decision at 4; see also Exhibits P-1, R-1 at 27, 30. Nevertheless, the Agency denied Petitioner an exemption from the WFNJ benefits time limit because he failed to provide medical documentation which the Agency claimed was required to validate his MED-1 form. See Initial Decision at 3-4; see also Exhibit R-1 at 2-4, 14, 17-18. However, the ALJ found, and the Agency agreed, that there was no regulatory authority which required Petitioner to provide such medical documentation to the Agency in order to qualify for an exemption from the WFNJ benefits time limit. See Initial Decision at 4, 6. Moreover, the ALJ found that the Agency had validated Petitioner's two previous MED-1 forms, both signed by the same physician, and both indicating the same disabilities, without requiring medical documentation. Id. at 3-7; see also Exhibit R-1 at 34, 35, 46, 50, 51, 56. Based on the foregoing, the ALJ concluded that Petitioner is eligible for an exemption from the WFNJ benefits time limit and that the Agency's termination of Petitioner's WFNJ/TANF benefits was improper and must be reversed. See Initial Decision at 7-8; see also Exhibit R-1 at 2-4, 7-18, and N.J.A.C. 10:90-2.4(a)(3)(i). I agree.

No Exceptions to the Initial Decision were received.

As the Director of the 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 concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.



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

Officially approved final version.

Natasha Johnson

Director

JUN 06 2018,

