



State of New Jersey

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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 16273-17 L.B.

AGENCY DKT. NO. C026431012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits because 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 November 21, 2017, the Honorable Carl V. Buck, III, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On December 12, 2017, 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/General Assistance ("WFNJ/GA") recipient may qualify for up to an additional six months 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(c). Thus, the maximum amount of EA benefits that a WFNJ/GA benefits recipient may receive is 18 months.

Here, the record reflects that Petitioner had received 18 months of EA benefits as of October 1, 2017, and as such, by notice dated October 17, 2017, the Agency terminated Petitioner's EA benefits, effective November 1, 2017, because Petitioner had exhausted her lifetime limit of EA benefits, plus all available extensions. See Initial Decision at 3-4; see also Exhibit R-4, R-5, and N.J.A.C. 10:90-6.4(a), (b), (c). Based on the facts presented, and the applicable law, the ALJ concluded that Petitioner has exhausted her lifetime limit of EA benefits, plus all applicable extensions, and that the Agency properly terminated Petitioner's EA benefits. See Initial Decision at 6; see also Exhibit R-5, and N.J.A.C. 10:90-6.4(a), (b), (c). I agree.

By way of comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with her current needs, including Social Services for the Homeless.



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

Officially approved final version.

Natasha Johnson

Director

