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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 01233-18 M.N.

AGENCY DKT. NO. C202430007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner WFNJ/GA benefits because Petitioner failed to provide requested documentation required to determine his eligibility for an exemption from the WFNJ benefits time limit. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On February 20, 2018, the Honorable Ernest M. Bongiovanni, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was held open for seven days in order to receive briefs from the parties. No briefs were filed, and the record then closed on February 28, 2018.

On March 15, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that a Final Agency Decision was issued on November 6, 2017, OAL Docket No. HPW 11584-17, wherein I found Petitioner eligible for WFNJ/GA benefits contingent upon the Agency first having an opportunity to review Petitioner's MED-1 form. See Initial Decision at 3-5; see also Exhibit R-6. Thereafter, Petitioner was denied WFNJ/GA benefits because he had exhausted the 60-month lifetime limit of said benefits and had failed to provide the Agency with the documentation requested by the Agency needed to review Petitioner's MED-1 form, in order to determine his eligibility for an exemption from the WFNJ benefits time limit. See Initial Decision at 3-5; see also Exhibit R-10, and N.J.A.C. 10:90-2.3(a), -2.4(a)(3)(i). The record reflects that Petitioner has received at least 84 months of combined WFNJ benefits. See Initial Decision at 3; see also Exhibits P-8, R-3, R-4, and R-5. The ALJ found that Petitioner had failed to provide required documentation to the Agency, and therefore, that the Agency's denial of WFNJ/GA benefits to Petitioner was proper and must stand. See Initial Decision at 4-5; see also Exhibits R-6, R-10, and 10:90-2.3(a), -2.4(a)(3)(i). Further, the ALJ found that Petitioner's bankruptcy neither entitled him to additional WFNJ/GA benefits, nor precluded the Agency's denial of WFNJ/GA benefits based on an exhaustion of the WFNJ benefits time limit, as Petitioner had asserted. See Initial Decision at 5-6; see also Exhibits P-1 through P-4. 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 AFFIRMED.

Officially approved final version.

Natasha Johnson

Director

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