



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 06299-18 M.S.

AGENCY DKT. NO. C080108018 (SOMERSET COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of an extension of Emergency Assistance ("EA") benefits. The Agency denied Petitioner further EA benefits contending that she has 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 May 29, 2018, the Honorable Sara G. Crowley, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On June 19, 2018, 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 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, an employable WFNJ/TANF benefits recipient, had received 33 months of EA benefits through May 2018, and has received continued assistance pending the outcome of this fair hearing. See Initial Decision at 2; see also Exhibit R-1. Based upon the testimony and documents admitted into evidence, 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 2, see also N.J.A.C. 10:90-6.4(a), (b), (d). Accordingly, the ALJ also concluded that the Agency's denial of an extension of EA benefits to Petitioner was proper and must stand. See Initial Decision at 3. I agree.



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

Officially approved final version.

JL - 5 2010

Natasha Johnson

Director

