



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 05132-19 L.F.

AGENCY DKT. NO. C240970009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits and the imposition of a six-month period of ineligibility for EA benefits. The Agency denied Petitioner EA benefits, and imposed a six-month EA ineligibility penalty, contending that she failed to comply with her EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 17, 2019, the Honorable JoAnn LaSala Candido, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

Also on April 17, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner had received 18 months of EA benefits as of August 2017, and as such, she had exhausted her 12-month lifetime limit of EA benefits, plus one six-month extreme hardship extension of said benefits. See Initial Decision at 2; see also Exhibit R-1 at 9-12, and N.J.A.C. 10:90-6.4(a), (b), (d). Petitioner applied for another extreme hardship extension of EA benefits, and at that time, also executed an SP wherein she agreed, among other things, to attend all Agency appointments. See Initial Decision at 2; see also Exhibit R-1 at 16. Further, Petitioner was required to provide the Agency with documents needed to determine her eligibility for an extension of EA benefits. See Initial Decision at 2; see also N.J.A.C. 10:90-1.6(a), -2.2(a)(5). However, despite several phone calls, emails, and notices reminding Petitioner of the documents needed to determine her EA benefits eligibility and of her scheduled Agency appointments, Petitioner failed to comply. See Initial Decision at 2-3; see also Exhibit R-1 at 14-15, 17-22, and 25-35. The ALJ found that Petitioner had failed to demonstrate good cause for such noncompliance, and as such, concluded that Petitioner had failed to comply with her SP, and that the Agency's denial of an extension of EA benefits to Petitioner was proper and must stand. See Initial Decision at 2-3; see also Exhibit R-1 at 3-7, 23-24, 26-27, and N.J.A.C. 10:90-6.6(a). 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.

Additionally, because I concur with the ALJ's conclusion that Petitioner failed to comply with her SP, I find that the Agency's imposition of a six-month EA ineligibility penalty was also proper and must stand. See Exhibit R-1 at 3-7; see also N.J.A.C. 10:90-6.6(a). Petitioner's six-month EA ineligibility penalty shall run from April 12, 2019, the effective date of the Agency's denial of EA benefits, through October 11, 2019. See Exhibit R-1 at 3-7.

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 determination is AFFIRMED.

Officially approved final version.

APR 22 2019

Natasha Johnson

Director

