



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
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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 09028-19 R.G.

AGENCY DKT. NO. C070026003 (BURLINGTON 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 she had exhausted her 60-month cumulative lifetime limit of WFNJ/TANF benefits, and did not qualify for an extension of, or exemption from, said lifetime limit. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 5, 2019, the Honorable Dean J. Buono, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On August 14, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner has received 149 months of combined WFNJ/General Assistance and WFNJ/TANF benefits, and as such, the ALJ found that Petitioner had "unequivocally" exceeded the 60-month cumulative lifetime limit of WFNJ cash benefits. See Initial Decision at 2-3; see also R-1 Exhibit 3, Exhibit 8, and N.J.A.C. 10:90-2.3(a). Moreover, Petitioner conceded that she had received more than five years of WFNJ cash benefits. See Initial Decision at 3. The record also reflects that Petitioner does not have a current MED-1 form indicating a 12-month disability, and that she does not have a Supplemental Security Income benefits application pending review or appeal. See Initial Decision at 6. Further, the ALJ found that Petitioner failed to provide any evidence to substantiate her claims that she was chronically unemployable or disabled, and therefore, eligible for continued WFNJ/TANF benefits. *Ibid.* The ALJ also found that Petitioner's testimony was not credible. *Id.* at 3-4. Accordingly, the ALJ found that Petitioner does not meet the criteria for an extension of, or exemption from, the WFNJ cash benefits lifetime limit. *Id.* at 5-6; see also N.J.A.C. 10:90-2.4(a)(3), (4), -2.5(a), -2.20. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/TANF benefits was proper and must stand. See Initial Decision at 6; see also R-1 Exhibit 2 at 4-8. 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.



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

Officially approved final version.

SEP - 4 2019

Natasha Johnson

Director

