



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 12356-19 R.O.

AGENCY DKT. NO. S620366012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA") and Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's WFNJ/GA benefits because his income was over the maximum benefit payment level, and terminated his EA benefits because he was no longer a WFNJ cash benefits recipient, nor was he a Supplemental Security Income ("SSI") benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 10, 2019, the Honorable Jeffrey N. Rabin, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On that same date, 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 ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I ADOPT the ALJ's Initial Decision and AFFIRM the Agency's determination.

In order to remain eligible for WFNJ/GA benefits, the WFNJ/GA recipient's total countable income must be equal to, or less than, the maximum benefit payment level for the size of the assistance unit as set out in Schedule V at N.J.A.C. 10:90-3.6(a). The benefit level for a WFNJ/GA unemployable assistance unit, consisting of one individual, is \$277 per month. See N.J.A.C. 10:90-3.6(a); see also DFD Informational Transmittal Number 19-21.

Only WFNJ cash assistance recipients and SSI recipients are eligible for EA benefits. See N.J.A.C. 10:90-6.2(a).

Here, the record reflects that Petitioner receives \$1,052 per month in Retirement, Survivors and Disability Insurance ("RSDI") benefits. See Initial Decision at 2; see also Exhibit R-1B. The ALJ found that Petitioner's income was over the maximum allowable benefit level for continued WFNJ/GA benefits eligibility, and, as a result, his WFNJ/GA benefits were terminated. See Initial Decision at 3; see also Exhibit R-1A, and N.J.A.C. 10:90-3.1(c), -3.6(a). The ALJ further found that since Petitioner is no longer



a WFNJ/GA benefits recipient, he is, therefore, ineligible for EA benefits. See Initial Decision at 3, 4; see also N.J.A.C. 10:90-6.2(a). Based on the foregoing, the ALJ concluded that Agency had properly terminated Petitioner's WFNJ/GA and EA benefits. See Initial Decision 4. I agree.

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

Officially approved final version.

Natasha Johnson
Director

SEP 16 2019

