



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 00833-19 S.J.

AGENCY DKT. NO. C132275003 (BURLINGTON COUNTY BD. OF SOC. SVCS)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits, contending that he has exhausted his lifetime limit of EA benefits, and no longer qualifies for an extreme hardship extension of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 6, 2019, the Honorable Susan L. Olgiati, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On March 27, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that, as of the date of the hearing, Petitioner had received 16 months of EA benefits, and as such, has exhausted his 12-month lifetime limit of EA benefits. See Initial Decision at 3; see also Exhibit at 33-37, and N.J.A.C. 10:90-6.4(a). Petitioner had been receiving an extreme hardship extension of EA benefits due to an open case with the Division of Child Protection and Permanency ("DCPP"). See Initial Decision at 2-3; see also Exhibit R-1 at 32, and N.J.A.C. 10:90-6.4(b)(1)(ii). However, when Petitioner advised the Agency that his DCPP case had closed, the Agency terminated Petitioner's EA benefits because he no longer met the criteria for an extreme hardship extension of EA benefits, as there was no longer imminent danger of the breakup of the family unit. See Initial Decision at 3; see also Exhibit R-1 at 1, 18, and N.J.A.C. 10:90-6.4(b)(1)(ii). Applying the law to the facts, the ALJ concluded that Petitioner has exhausted his lifetime limit of EA benefits and no longer meets the criteria for an extreme hardship extension, or any other extension of EA benefits, and that the Agency's termination of Petitioner's EA benefits was therefore proper and must stand. See Initial Decision at 3-4; see also Exhibit R-1 at 11-15, and N.J.A.C. 10:90-6.4(a), (b). 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.

By way of comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with his current needs, including Social Services for the Homeless.

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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