



State of New Jersey

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*Governor*

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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 08188-19 T.F.

AGENCY DKT. NO. C154381003 (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 failed to comply with his EA service plan ("SP") by failing to provide required documentation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 10, 2019, the Honorable Dean J. Buono, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On July 17, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner executed an SP wherein he agreed, among other things, to timely provide the Agency with MED-1 forms, as required. See Initial Decision at 2; see also Exhibit R-4. Petitioner testified that he was unable to obtain a current MED-1 form from his "regular doctor," and was advised by that doctor that he needed to have the MED-1 form completed by a specialist. See Initial Decision at 2. The ALJ found that Petitioner's SP required him to provide the Agency with a 12-month MED-1 form, that he had failed to do so or provide a valid explanation as to why he did not do so, and that he had made little effort to comply with the terms of his SP. See Initial Decision at 2-4; see also Exhibit R-4. Based on the foregoing, the ALJ concluded that Petitioner had failed to comply with his SP, without good cause, and that the Agency's termination of Petitioner's EA benefits was proper and must stand. See Initial Decision at 4; see also Exhibit R-1, 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 his SP, I hereby impose upon him a six-month period of ineligibility for EA benefits. See Initial Decision at 4; see also N.J.A.C. 10:90-6.6(a). As Petitioner has been receiving continued assistance pending the outcome of this fair hearing, the six-month EA ineligibility penalty shall begin to run as of the date of the issuance of this Final Agency Decision.



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

Officially approved final version.

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Natasha Johnson  
Director

AUG 19 2019

