



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
Assistant Commissioner

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 16222-19 T.L.

AGENCY DKT. NO. C496333007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that he had exhausted his lifetime limit of EA benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 20, 2019, the Honorable Danielle Pasquale, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On November 20, 2019, 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, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's Initial Decision, REVERSE the Agency's determination, and REMAND the matter to the Agency, based on the discussion below.

Here, the ALJ found that Petitioner had exhausted his lifetime limit of EA benefits, and affirmed the Agency's denial of said benefits. See Initial Decision at 3-4; see also Exhibits R-1 through R-3, and N.J.A.C. 10:90-6.4(a), (b), (c), (d). I agree with the ALJ's finding that Petitioner has exhausted his lifetime limit of EA benefits. However, based on an independent review of the record, I find that Petitioner may be eligible for additional months of EA benefits in accordance with the recently promulgated State of New Jersey Senate Bill, No. S3586, P.L. 2019, c. 74, amending P.L. 1997, c. 14, effective April 30, 2019 ("S3586"), which provides, in part, that "all months of emergency assistance received more than 84 months from the date of application for emergency assistance shall not be counted toward the cumulative 12-month limit of emergency assistance." See Initial Decision at 2; see also Exhibit R-2, and S3586. Therefore, I am remanding the matter to the Agency to reevaluate Petitioner's eligibility for additional EA benefits pursuant to S3586. The Initial Decision is modified to reflect this finding.

Accordingly, the Initial Decision is hereby MODIFIED, and the Agency's action is REVERSED, and the matter REMANDED to the Agency, as outlined above.



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Officially approved final version *Nov 25 2019*

Natasha Johnson
Assistant Commissioner

