



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

CAROLE JOHNSON
Commissioner

SHEILA Y. OLIVER
Lt. Governor

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 07601-20 A.L.

AGENCY DKT NO S624620012 (MIDDLESEX COUNTY RD OF SOC SVCS)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner WFNJ/GA benefits contending that, in accordance with applicable regulatory authority, he was precluded from eligibility because he had been convicted of distribution of a controlled dangerous substance ("CDS"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 18, 2020, the Honorable Joan M. Burke, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On October 5, 2020, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner applied for WFNJ/GA benefits on February 24, 2020. See Initial Decision at 2; see also Exhibit R-1. However, after the Agency had conducted a routine background check on Petitioner, it was discovered that Petitioner had been convicted for the manufacture and distribution of, or the intent to manufacture and distribute, a controlled dangerous substance ("CDS") in 2002. See Initial Decision at 2-3; see also Exhibit R-2. As a result, the Agency was obligated, pursuant to the applicable WFNJ regulations, to deny Petitioner's application for WFNJ/GA benefits. See Initial Decision at 2-3; see also Exhibit R-3, and N.J.A.C. 10:90-18.6(b)(1)(ii)(3). Petitioner did not dispute the criminal conviction for distribution, but contended that he was young when it occurred, and that it was some time ago. See Initial Decision at 3. However, in accordance with the regulatory mandate of N.J.A.C. 10:90-18.6(b)(1)(ii)(3), which precludes eligibility for WFNJ cash benefits for individuals who have been convicted of distribution of a CDS, the ALJ concluded that the Agency's denial of Petitioner's application for WFNJ/GA cash benefits was proper and must stand. See Initial Decision at 3-4; see also Exhibit R-3. I agree.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, 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.

OCT 2 0 2020

Natasha Johnson

Assistant Commissioner

