



## State of New Jersey

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*Governor*

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 15383-25 A.R.

AGENCY DKT. NO. C419257016 (PASSAIC COUNTY BOARD 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 she had exhausted her lifetime limit of EA benefits, plus all available extensions. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 29, 2025, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On September 30, 2025, the ALJ issued an Initial Decision, reversing the Agency's determination.

Exceptions to the Initial Decision were filed by the Agency on October 1, 2025.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby REJECT the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

EA benefits are limited to 12 months, plus limited extensions for "extreme hardship" where the recipient has taken "all reasonable steps to resolve the emergent situation but the emergency nonetheless continues or a new emergency occurs, which causes extreme hardship to the family." See N.J.A.C. 10:90-6.4(a), (b), (d); N.J.S.A. 44:10-51. Specifically, a Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") recipient may qualify for an additional six months of EA when an "extreme hardship" exists. Ibid. In the event the recipient's extreme hardship continues to exist at the expiration of the six-month extension period, an additional six months of EA may be provided. Ibid. Thus, the maximum amount of EA a WFNJ/TANF recipient may receive is 24 months.

State of New Jersey Senate Bill, No. S866, P.L. 2018, c. 164, effective December 20, 2018 ("S866"), now codified at N.J.S.A. 44:10-51(a)(3), also known as Emergency Assistance for Specific Groups ("EASG"), and extended pursuant to State of New Jersey Assembly Bill, No. 5549, extends EA benefits eligibility for certain categories of individuals. See DFD Instruction ("DFDI") No. 25-02-01.

Here, Petitioner, a WFNJ/TANF benefits recipient, has received twenty-four months of EA benefits, and as such, has exhausted her 12-month lifetime limit of EA benefits, as well as the two six-month hardship extensions available to her, and currently does not qualify for any further extension of any kind. See Initial Decision at 2-4; see also Exhibit R-1, and N.J.A.C. 10:90-6.4(a), (b), (c). Accordingly, I find that Petitioner has exhausted her lifetime limit of EA benefits, plus all available extreme hardship extensions. See N.J.A.C. 10:90-6.4(a), (b), (d). Also, in relevant part, the record reflects that Petitioner is not a Supplemental Security Income ("SSI") benefits recipient, has not been determined to be chronically unemployable, and has not provided the Agency with a MED-1 form indicating a 12-month disability, nor a MED-5 form



indicating that she is a full-time care giver to a disabled child, any of which are required in this case to meet the criteria for an extension of EA benefits under the Emergency Assistance for Special Groups ("EASG") pilot program. See Initial Decision at 2-4; see also Exhibit R-1, and N.J.S.A. 44:10-51(a)(3), and DFD Instruction No. 25-02-01. Nevertheless, based on Petitioner's particular circumstances, namely that she is a full-time college student and that her child, who attends school, is autistic and suffers from allergies, and "other medical conditions," and a misplaced assertion that Petitioner should have been referred for a MED-5 application or for exploration of "whether an exception existed to the maximum lifetime limit," the ALJ reversed the Agency's termination of EA benefits. See Initial Decision at 2-4. I respectfully disagree. Rather, based on the discussion above, while I am sympathetic to Petitioner's situation, I find that the Agency has no regulatory authority, at this time, by which it can provide Petitioner with any additional EA benefits, and as such, I conclude that the Agency's termination of Petitioner's EA benefits was proper and must stand. See N.J.A.C. 10:90-6.4(a), (b), (d), and N.J.S.A. 44:10-51(a)(3). Accordingly, I affirm the Agency's termination of Petitioner's EA benefits, due to her having reached her lifetime limit of said benefits, including all available hardship extensions, and that she does not qualify for any further extension of EA benefits.

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

Accordingly, the Initial Decision is hereby REJECTED, and the Agency's determination is AFFIRMED, as outlined above.

Officially approved final version.      October 15, 2025

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Natasha Johnson  
Assistant Commissioner

