



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

TRENTON, NJ 08625-0716

SARAH ADELMAN
Commissioner

TAHESHA L. WAY
Lt. Governor

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 **10509-25 C.V.**

AGENCY DKT. NO. **C189736009 (HUDSON COUNTY DEPT OF FAM SVCS)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that she had exhausted her lifetime limit of EA benefits, plus all available extensions, and did not qualify for any further extension. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 17, 2025, the Honorable Kimberly K. Holmes, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On June 18, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination.

Exceptions to the Initial Decision were filed by Legal Services on behalf of Petitioner on June 24, 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 MODIFY the ALJ's Initial Decision, REVERSE the Agency's determination, and REMAND the matter to the Agency for further action, 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, including, but not limited to WFNJ recipients who are permanently disabled, as documented by a twelve (12) month MED-1 Form, and Supplemental Security Income ("SSI") benefits recipients. See DFD Instruction ("DFDI") No. 25-02-01.

Here, based on an independent review of the record, Petitioner, a WFNJ/TANF benefits recipient, has received 24 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. See also Exhibit R-1, and N.J.A.C. 10:90-6.4(a), (b), (c). Petitioner applied for an extension of EA benefits under EASG, which the Agency denied on April 24, 2025, on the basis that Petitioner did not meet any of the eligibility criteria. See Exhibit R-1. However, the Exceptions in this case represent that the MED-1 submitted to the Agency, by Petitioner's physician, dated May 8, 2025, while checking the box for a "temporary" disability, the dates



reflected on the MED-1 form show a period of time of 12 months and 3 days, specifically, May 8, 2025, through May 11, 2026, thereby meeting the required period to establish a permanent disability. See Exceptions at 2; see also N.J.A.C. 10:90-4.10(a)(2). Unfortunately, a full copy of the MED-1 form is not in the record that was returned to this office from the Office of Administrative Law. Rather, Exhibit R-1 contains only the very first page of the MED-1 form, and then a cropped image of a signature line with the date "May 8, 2025." Therefore, it is impossible to verify the dates in the subject MED-1 form, as represented in the Exceptions. It should be noted that it is the dates contained in the MED-1 that are controlling, and not the box that is checked off, and as such, I am remanding this matter to the Agency for action as follows. The Agency shall review the May 8, 2025, MED-1 form submitted by Petitioner's physician. If the dates contained in that form are as represented by Petitioner's counsel, specifically, for a period from May 8, 2025, through May 11, 2026, then the Agency shall approve the MED-1 form and Petitioner shall be eligible for EA benefits under EASG. Should the form not contain those dates as represented, then the denial will stand as issued. The Initial Decision is modified to reflect these findings and directives.

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

Officially approved final version. July 08, 2025

Natasha Johnson
Assistant Commissioner

