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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 11484-24 J.M.

AGENCY DKT. NO. S947734009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner's WFNJ/GA benefits, contending that Petitioner failed to provide information and signed documentation necessary to determine eligibility for said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On November 6, 2024, the Honorable Nanci G. Stokes, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, admitted documents into evidence, and the record then closed. On November 12, 2024, the ALJ issued an Initial Decision, reversing the Agency's determination as to the termination of WFNJ/GA benefits, however, finding the matter had since been resolved.

No Exceptions to the Initial Decision were filed.

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 ADOPT the ALJ's Initial Decision, and as the matter was since resolved, I find the matter is now moot and is therefore dismissed, based on the discussion below.

In this matter, Petitioner submitted a fair hearing request on July 11, 2024, following the denial of her WFNJ/GA benefits, with the belief that the denial was related to the submission of her MED-1 form from February 2024. See Initial Decision at 2. However, when this matter was transmitted to OAL by DFD for a hearing, the transmitted issue to be heard was the WFNJ/GA denial based upon Petitioner failing to return signed forms to the Agency. Ibid.; see also Exhibit R-1. The case was initially scheduled for a hearing on October 24, 2024, and, at such time, Petitioner maintained that the issue before the ALJ was regarding her MED-1 form, rather than the transmitted issue. See Initial Decision at 2. Petitioner had a previously scheduled meeting with her caseworker on October 25, 2024, which resulted in the ALJ adjourning the hearing until November 6, 2024, to allow for additional time for the Petitioner and Agency to review and investigate the matter, discuss Petitioner's MED-1, and submit any additional supporting materials. Ibid.

With respect to the denial in the case, the record reflects that Petitioner had been interviewed by the Agency on June 3, 2024, in reference to her redetermination for WFNJ/GA benefits. See Initial Decision at 3. Also on June 3, 2024, the Agency sent Petitioner a request for verifications, as well as signed WFNJ/GA forms. Ibid.; see also Exhibit R-1. Based upon the testimony presented, the ALJ found, and the Agency acknowledged, that the June 3, 2024, request for verifications, as well as the July 9, 2024, denial letter had been sent to the incorrect apartment number for Petitioner. Ibid. The Agency acknowledged that Petitioner had not received the correspondence sent, verified the correct address for Petitioner, and processed WFNJ/GA benefits for the months of July, 2024 and August, 2024 due to address error. Ibid. During September 2024, Petitioner did sign the required WFNJ/GA forms and provided the documentation necessary to reinstate her case, and has since been receiving WFNJ/GA benefits. Ibid. Based on the evidence presented in this



case, the ALJ in this matter found that the issue regarding a denial of Petitioner's WFNJ/GA benefits, has been properly resolved and the Agency has rescinded its denial. See Initial Decision at 3. I agree and therefore find that the issue is now moot.

Additionally, Petitioner had previously appealed the delayed processing of her MED-1 form from February, 2024, which, if approved, may have increased her monthly WFNJ/GA benefits from the employable rate, to the unemployable rate. See Initial Decision at 4. The ALJ noted, and the record establishes, that this specific issue was previously sent to the OAL for a hearing, with a hearing scheduled for April 25, 2024. Ibid.; see also Exhibit R-2. Petitioner did not appear for the hearing on April 25, 2024, and testified that she did not receive the notice until May 1, 2024. Ibid. Petitioner could have reinstated that hearing had she provided good cause to the OAL for her failure to appear for the hearing within thirteen days of the scheduled hearing date. See Initial Decision at 4. Petitioner did not do so, however, and in fact, acknowledged that she received the notice before the thirteen-day period had expired. Ibid. As such, I find that Petitioner's July 11, 2024, fair hearing request on that same exact issue pertaining to the MED-1 form was properly denied by this office on August 14, 2024, and further, that the ALJ in this case properly concluded that OAL had no jurisdiction to hear that issue. Id. at 4-6.

Accordingly, the Initial Decision in this matter is hereby ADOPTED, and as the matter has since been resolved, I find the matter is moot, and case is therefore dismissed, as outlined above.

Officially approved final version. January 17, 2025

Natasha Johnson
Assistant Commissioner

