



## State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
PO BOX 716

SARAH ADELMAN  
*Commissioner*

TAHESHA L. WAY  
*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 **04546-25 K.C.**

AGENCY DKT. NO. **C216140016 (PASSAIC COUNTY BOARD OF SOC. 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 that she did not qualify for any further extensions of EA benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 14, 2025, the Honorable Susana Guerrero, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On March 17, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner has no legal status in the United States, and as such, she is an ineligible alien for purposes of Work First New Jersey ("WFNJ") and EA benefits eligibility. See Initial Decision at 3; see also N.J.A.C. 10:90-2.7(a), -2.10, -6.1(a), and -6.2(a). However, as Petitioner has one child in her household receiving WFNJ/Temporary Assistance for Needy Families ("TANF") benefits, her household was eligible for, and had received EA benefits. See Initial Decision at 2; see also Exhibit R-1 at 3, 6-13, and N.J.A.C. 10:90-2.7(a)(1)(v), -6.1(e), -6.2(a), and Division of Family Development Instruction ("DFDI") No. 08-5-4 at 13. The record further indicates that Petitioner's household had exhausted the 12-month lifetime limit of EA benefits, plus the two allowable six-month extreme hardship extensions, and as such, Petitioner contended that her child-only household was eligible for an extension of EA benefits pursuant to 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 recently extended pursuant to State of New Jersey Assembly Bill, No. 5549, extending EA benefits eligibility for certain categories of individuals, including, but not limited to adult WFNJ recipients who are permanently disabled, as documented by a twelve (12) month MED-1 Form, caregivers for a disabled child or disabled dependent, as documented by a WFNJ-5S-DEP form, and adult Supplemental Security Income ("SSI") benefits recipients. See Initial Decision at 2-4; see also Exhibit P-1. R-1 at 6-13, and N.J.S.A. 44:10-51(a)(3), and DFDI No. 25-02-01.

The Agency determined, and the ALJ found, that she did not qualify for an extension of EA benefits under EASG, as she was ineligible for WFNJ or SSI benefits recipient, both threshold requirements for EASG eligibility. See Initial Decision at 3; see also N.J.S.A. 44:10-51(a)(3). Although Petitioner acknowledged that she may not qualify for an EASG extension, she claimed that as a WFNJ/TANF benefits recipient, her child was eligible for an EASG extension of EA benefits. See Initial Decision at 2-4; see also Exhibits P-1, R-1 at 6-13, and N.J.S.A. 44:10-51(a)(3). However, the ALJ found that, in accordance with EASG authority, a child-only EA benefits household, does not qualify for an EASG extension of EA benefits. See Initial Decision at 4-5; see also N.J.S.A. 44:10-51(a)(3), and DFDI No. 25-02-01. Of note, Petitioner also conceded that she had exhausted extensions available to her pursuant to the seven-year disregard. See Initial Decision at 2. Based on the foregoing, the ALJ concluded that the Agency's denial of an extension of EA benefits under the EASG



program, and the consequent termination of her EA benefits due to exhaustion, were proper and must stand. See Initial Decision at 4-5; see also Exhibit R-1 at 4-5. I agree.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, DFD, 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.

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 ADOPTED, and the Agency's determination is AFFIRMED.

Officially approved final version. March 26, 2025

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Natasha Johnson  
Assistant Commissioner

