



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 17505-24 K.E.

AGENCY DKT. NO. C135632008 (GLOUCESTER COUNTY DIV. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF"), and Emergency Assistance ("EA"), benefits. The Agency terminated Petitioner's WFNJ/TANF benefits, contending that he had exhausted his 60-month cumulative lifetime limit of WFNJ cash benefits, and did not qualify for an exemption from said lifetime limit, and terminated his EA benefits because he was neither a WFNJ, nor Supplemental Security Income ("SSI"), benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 24, 2025, the Honorable Elaine B. Frick, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On January 30, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I hereby MODIFY the Initial Decision, and REVERSE the Agency's determination, based on the discussion below.

"Eligibility for cash assistance benefits shall be limited to a lifetime total of 60 cumulative months for an adult individual." See N.J.A.C. 10:90-2.3(a). "At the end of an individual adult recipient's 60 cumulative months of receipt of cash assistance, the assistance unit shall no longer be eligible to receive [WFNJ] assistance." N.J.A.C. 10:90-2.3(a)(1). However, an individual may receive additional months of cash assistance if he/she qualifies for an exemption to, or extension of, the time limit, as set forth at N.J.A.C. 10:90-2.4 and -2.5 respectively. In relevant part, a recipient is exempt from the 60-month cumulative lifetime WFNJ limit if a "physical or mental impairment, defect or injury prevents him or her from engaging in full-time employment for a period of 12 or more months ... on a minimum of one WFNJ/MED-1, Examination Report." N.J.A.C. 10:90-2.4(a)(3)(i).

Here, the ALJ found, the record substantiates, and Petitioner stipulated, that he had received 82 months of WFNJ/TANF benefits, and as such, had exhausted his 60-month lifetime limit for said benefits. See Initial Decision at 3; see also Exhibit R-1 at 4-13, and N.J.A.C. 10:90-2.3(a). As a regulatory condition for an exemption from the WFNJ/TANF benefits 60-month lifetime limit, Petitioner was required to provide the Agency with proof of a pending Supplemental Security Income ("SSI") benefits application, and a MED-1 form indicating a 12-month permanent disability. See Initial Decision at 6-7; see also Exhibit R-2, and N.J.A.C. 10:90-2.2(a)(3), -2.4(a)(3)(i). However, the ALJ found that, although Petitioner had provided proof of a pending SSI application, he had failed, after many opportunities to do so, to provide the Agency with a MED-1 form indicating a permanent 12-month disability. See Initial Decision at 3-6; see also Exhibits P-1, R-1 at 3, 14-25, 33-47, 51-54. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/



TANF benefits was proper and must stand. See Initial Decision at 9-10; see also Exhibit R-1 at 26-27. I respectfully disagree. Rather, based on an independent review of the record, I find that Petitioner's MED-1 form is valid. Although Petitioner's physician indicated on the MED-1 form that Petitioner's disability was temporary, the dates provided on said MED-1 form clearly indicate that Petitioner's disability is for more than 12 months, beginning June 7, 2024, through September 5, 2025. See Initial Decision at 3; see also Exhibit R-1 at 15-17. Accordingly, I find that the Agency's termination of Petitioner's WFNJ/TANF benefits was improper and must be reversed. See Exhibit R-1 at 26-27. The Initial Decision is modified to reflect this finding. Additionally, based on the aforementioned finding that Petitioner currently qualifies an exemption of the WFNJ 60-month lifetime limit, and therefore continued WFNJ benefits, I find that he is also eligible for EA benefits, and as such, I reverse the Agency's termination of Petitioner's EA benefits. See Initial Decision at 9-10; see also N.J.A.C. 10:90-6.2(a). The Initial Decision is also modified to reflect this finding.

Further, although not a transmitted issue, at the time of the hearing Petitioner claimed that he should be exempt from the 60-month lifetime limit of WFNJ/TANF benefits because he had a disabled child. See Initial Decision at 5-6, 9-10. However, the ALJ found that Petitioner had not demonstrated that he qualifies for the exemption of caring for a disabled child as specified in the regulation. *Ibid.*; see also N.J.A.C. 10:90-2.4(a)(2). I agree.

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

Officially approved final version. March 27, 2025

Natasha Johnson
Assistant Commissioner

