



## State of New Jersey

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*Governor*

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DIVISION OF FAMILY DEVELOPMENT  
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*Commissioner*

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*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 12865-25 R.D.

AGENCY DKT. NO. **C831088007 (ESSEX COUNTY DIVISION OF WELFARE)**

Petitioner appeals from the Respondent Agency's denial of an extension for Emergency Assistance ("EA") benefits. The Agency denied Petitioner's extension application for EA benefits, contending that she had exhausted her lifetime limit of EA benefits, and did not qualify for any further extension of EA benefits at the present time. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 25, 2025, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, admitted documents, and the record was closed. On July 28, 2025, the ALJ issued an Initial Decision, reversing 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 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 action, based on the discussion below.

Here, the record reveals that Petitioner has previously received twenty-three months of EA benefits, and that she has been locked out of her apartment and is currently experiencing homelessness. See Initial Decision at 2. The ALJ found Petitioner's testimony credible that she is experiencing physical and mental health issues which led to her seeking a MED-1 form. Ibid. The Agency contends that a completed MED-1 form was never received. Ibid. Of note, the record also reflects that, at the time of the Agency's termination of EA benefits in this matter, Petitioner also did not meet the criteria for an extension of EA benefits under the Emergency Assistance for Special Groups ("EASG") pilot program, as she had not submitted a completed MED-1 form indicating that she could not work for one-year, which is needed to establish permanent disability. See Initial Decision at 2-3; see also 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, 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. However, at the time of the hearing, Petitioner presented a copy of a partially completed MED-1 Form, consisting of pages 2 and 3 of the form, which appear to indicate Petitioner is considered by a medical professional to be permanently disabled. See Initial Decision at 3; see also Exhibit P-1. Based upon the introduction of this document into the record, I find that it appears that Petitioner would be eligible for retroactive payment of her rent from January, 2025 through July, 2025, as well as prospective EA rental payments beginning August, 2025, under EASG, particularly given Petitioner's specific circumstances which were presented at the



hearing. See Initial Decision at 2, paragraph number 3. However, it is unclear if the fully completed MED-1 form was sent directly to the Agency, as required, or if it had been, if it was properly given consideration.

Based on the foregoing, the ALJ concluded that the Agency's denial of an EA extension was improper. See Initial Decision at 3; see also Exhibit P-1. I agree and therefore, I am remanding this matter to the Agency for action as follows. I direct the Agency to expeditiously contact the medical provider indicated on the MED-1 form admitted into the record and request that a complete copy of the form be sent directly from the physician's office to the Agency. The Agency is to then expedite their review of same to determine if Petitioner is eligible for such benefits, based upon the complete MED-1 form. If eligible, Petitioner is to provide updated information to the Agency with respect to the amount of rental arrears owed and then Agency is directed to expedite payment of same. The Initial Decision is hereby modified to reflect the above findings and directives.

By way of comment, if the completed MED-1 is directly submitted to the Agency, the Agency shall also expedite the change in the amount of Petitioner's Work First New Jersey/General Assistance ("WFNJ/GA") benefit allotment from the employable rate, to the unemployable rate.

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

Officially approved final version. July 31, 2025

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Natasha Johnson  
Assistant Commissioner

