



## 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 **06589-25 S.J.**

AGENCY DKT. NO. **C143007009 (HUDSON COUNTY DEPT OF FAM SVCS)**

Petitioner appeals from Respondent Agency's denial of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF"), and Emergency Assistance ("EA"), benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 21, 2025, the Honorable Julio C. Morejon, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On April 22, 2025, the ALJ issued an Initial Decision, reversing Agency's determinations.

No Exceptions to the Initial Decision were filed.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision and following an independent review of the record, I hereby REJECT the ALJ's Initial Decision, and MODIFY 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 from, 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).

Only WFNJ and Supplemental Security Income ("SSI") benefits recipients are eligible for EA benefits. See N.J.A.C. 10:90-6.2(a).

Based on an independent review of the record, it is undisputed that Petitioner has received 91 months of WFNJ benefits. See Initial Decision at 3; see also Exhibits P-1, R-4. Based upon that number of months of WFNJ benefits, Petitioner has already exhausted her 60-month lifetime limit of WFNJ benefits, and the only basis by which Petitioner may receive additional months of WFNJ benefits is by an exemption from that lifetime limit. See N.J.A.C. 10:90-2.4. In the present matter, Petitioner submitted a MED-1 form to the Agency, purporting to document a "physical or mental impairment, defect or injury," which prevents Petitioner from engaging in full-time employment for a period of 12 or more months. See Exhibit P-2. However, that MED-1 form states the basis of the permanent disability is due to a preterm pregnancy which occurred on 1/12/25. Ibid. A pregnancy does not constitute a permanent disability, and for that reason, the Agency denied Petitioner's MED-1 on March 26, 2025. See Exhibit R-7 at 13. I agree with the Agency's denial of



the MED-1 form, and as such, I find that the Agency's denial of WFNJ/TANF benefits to Petitioner was also proper, as Petitioner has exhausted her 60-month lifetime limit of WFNJ benefits, in accordance with N.J.A.C. 10:90-2.3(a), and on the basis of the submitted MED-1 form, does not qualify for an exemption from the 60-month lifetime limit. See N.J.A.C. 10:90-2.4(a)(3)(i). Based on the foregoing, the Initial Decision of the ALJ is rejected, and the Agency's determination is modified to reflect the correct legal basis in this matter as N.J.A.C. 10:90-2.3(a), --2.4(a)(3)(i). Additionally, as I find that Petitioner is not a WFNJ benefits recipient, nor an SSI benefits recipient, Petitioner is also ineligible for EA benefits. See N.J.A.C. 10:90-6.2(a).

By way of comment, it should be noted that Petitioner does not qualify for an extension of the lifetime limit in accordance with N.J.A.C. 10:90-2.5, as that provision allows for a maximum extension of no more than cumulative 12 months beyond the 60-month lifetime limit, or 72 months, and Petitioner is now well beyond that total amount.

By way of further comment, Petitioner is without prejudice to reapply for WFNJ/TANF and EA benefits, but is advised that she must meet one of the criteria for an exemption from the 60-month lifetime limit in order to qualify for WFNJ benefits. See N.J.A.C. 10:90-2.4.

Accordingly, the Initial Decision in this matter is REJECTED and the Agency's action is MODIFIED, as outlined above.

Officially approved final version. April 29, 2025

---

Natasha Johnson  
Assistant Commissioner

