



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 **15419-24 T.P.**

AGENCY DKT. NO. **S620014012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. The Agency terminated Petitioner's EA benefits, and imposed a six-month EA ineligibility penalty, contending that she failed to comply with her EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for December 9, 2024, but was adjourned at the request of the parties. On January 14, 2025, the Honorable Gauri Shirali Shah, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was closed the following day and on February 3, 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, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

Here, the ALJ found that, on June 25, 2024, Petitioner had executed joint SPs (with "L.E."), wherein they agreed, among other things, to complete weekly housing search logs and to undergo a mental health evaluation through the Work First New Jersey ("WFNJ") Substance Abuse Initiative/Behavioral Health Initiative ("SAI/BHI") program. See Initial Decision at 2; see also Exhibit R-2, and N.J.A.C. 10:90-6.6(a). Additionally, pursuant to the joint SP, L.E. was required to complete weekly job search logs. See Initial Decision at 3; see also Exhibit R-2. Petitioner had submitted a MED-1 form exempting her from working until April 2025, however, pursuant to the SP, she was required to apply for Supplemental Security Income ("SSI") benefits and provide proof of her application. Ibid. Petitioner and L.E. failed to comply with the aforementioned mandatory requirements, and by notice dated October 3, 2024, the Agency terminated Petitioner's EA benefits, effective November 3, 2024, and imposed a six-month EA ineligibility penalty. Ibid.; see also Exhibit R-6. In response to the Agency's termination, Petitioner did provide housing logs for October, 2024, and confirmation of some mental health treatment. Ibid.; see also Exhibits R-7, R-8. On December 9, 2024, the Agency emailed Petitioner a list of missing documents required to bring herself and L.E. into EA compliance, however, as of the date of the hearing, neither were compliant with the mandatory requirements of their EA service plan and neither disputed the non-compliance at the time of the hearing. See Initial Decision at 3; see also Exhibits R-9, R-10, R-12. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month period of ineligibility for EA benefits were proper and must stand. See Initial Decision at 4-5; see also N.J.A.C. 10:90-6.6(a). I agree.



Although L.E. was not a Petitioner in this matter, she appeared at the hearing, and admitted that she had also failed to comply with the joint SP. See Initial Decision at 3. As such, in accordance with applicable regulatory authority, I find that Petitioner's entire assistance unit, of which L.E. is a part, is subject to the termination of Petitioner's EA benefits, and the imposition of a six-month EA ineligibility penalty. See N.J.A.C. 10:90-6.6(a). The Initial Decision is modified to reflect this finding.

By way comment, as Petitioner has received continued assistance pending the outcome of the fair hearing, Petitioner is advised that the six-month EA ineligibility penalty shall begin to run as of the date of issuance of this Final Decision.

By way of further comment, the transmittal in this matter indicates that Petitioner also appealed a sanctioning of WFNJ/ General Assistance benefits. However, that issue was not addressed by the ALJ in the Initial Decision. Therefore, if Petitioner still has an issue regarding such sanctioning, she may request another fair hearing on that issue alone.

Also, 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 MODIFIED, and the Agency's determination is AFFIRMED, as outlined above.

Officially approved final version. March 06, 2025

Natasha Johnson
Assistant Commissioner

