



State of New Jersey

MIKIE SHERRILL
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

TRENTON, NJ 08625-0716

STEPHEN CHA, MD, MHSR
Commissioner

DR. DALE G. CALDWELL
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 **02330-26 A.B.**

AGENCY DKT. NO. **S670091012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA"), and Emergency Assistance ("EA"), benefits. The Agency terminated Petitioner's WFNJ/GA benefits because the household's total monthly income was over the maximum allowable benefit level for continued receipt of said benefits, and terminated Petitioner's EA benefits because Petitioner was no longer a WFNJ, nor a Supplemental Security Income ("SSI"), benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 28, 2026, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On May 15, 2026, the ALJ issued an Initial Decision, affirming the Agency's determinations.

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, and AFFIRM the Agency's determination, based on the discussion below.

Financial eligibility for WFNJ/GA benefits is determined based upon the assistance unit's ("AU") countable income, both earned and unearned, as well as countable resources. See N.J.A.C. 10:90-3.1(a).

Pursuant to N.J.A.C. 10:90-3.1(c), once initial financial eligibility for WFNJ/GA is found to exist, financial eligibility continues to exist so long as the total countable income of the WFNJ/GA assistance unit ("AU"), with benefit of the appropriate disregards at N.J.A.C. 10:90-3.8(b) for earned income, is less than the maximum benefit payment level for the appropriate eligible AU size in accordance with Schedule IV at N.J.A.C. 10:90-3.5(b). For an employable assistance unit of one, the maximum allowable benefit level is \$185. Ibid.; see also DFD Informational Transmittal ("DFD IT") No. 19-21.

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

Here, the record reflects that Petitioner was receiving WFNJ/GA benefits, and properly informed the Agency that he had obtained new employment on December 12, 2025, and provided a copy of his paystub. See Initial Decision at 2; see also Exhibit R-1. Using the paystub provided by Petitioner, and then applying the appropriate regulatory multiplier, the Agency calculated Petitioner's monthly income to be \$1,355. Ibid.; see also Exhibits R-2, and N.J.A.C. 10:90-3.11(c)(1)(i). After allowing for a 100% income disregard for January, 2026, in accordance with regulation, the Agency then applied a 75% income disregard for February, 2026, resulting in a net income of \$338.75, which exceeds the maximum benefit payment level of \$185. See Initial Decision at 2; see also Exhibits R-2, R-3 and N.J.A.C. 10:90-3.1(c), -3.8(b). As a result, by notice



dated January 20, 2026, the Agency notified Petitioner that his WFNJ/GA benefits would be terminated. See Exhibit R-4; see also N.J.A.C. 10:90-3.5(b) and DFD IT No. 19-21. Based on the foregoing, the ALJ in this matter concluded that the Agency's termination of Petitioner's WFNJ/GA benefits was proper and must stand. See Initial Decision at 2-3. I agree, however, I note that this matter involves a determination of continued eligibility, and not initial eligibility, as stated in the Initial Decision. Ibid. The Initial Decision is modified to reflect this finding, and the correct legal basis and applicable maximum benefit level.

Further, the ALJ in this matter concluded that, as Petitioner was no longer a WFNJ benefits recipient, nor an SSI benefits recipient, the Agency had also properly terminated Petitioner's EA benefits. See Initial Decision at 2-3; see also N.J.A.C. 10:90-6.2(a). I also agree.

Accordingly, the Initial Decision is hereby MODIFIED, and the Agency's determinations are AFFIRMED, as outlined above.

Officially approved final version. July 07, 2026

Natasha Johnson
Assistant Commissioner

