



## 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 **01012-26 C.O.**

AGENCY DKT. NO. **C066322017 (SALEM COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals the correctness of the Agency's issued monthly benefits amount of Work First New Jersey/General Assistance ("WFNJ/GA") benefits from June 30, 2025 to December 1, 2025. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. The hearing in this matter was initially scheduled for April 1, 2026, however, on that date Petitioner requested an adjournment, which the Agency consented to, and the matter was postponed. On April 27, 2026, the Honorable William T. Cooper III, Administrative Law Judge ("ALJ"), held a conference on the matter, and admitted documents. On May 15, 2026, 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 ADOPT the ALJ's Initial Decision and AFFIRM the Agency's determination, as discussed below.

A person shall be determined to be unemployable by the agency, when the determination is supported by a fully completed WFNJ/MED-1 form. Upon presentation of documentation of un-employability, applicants and recipients shall be considered deferred from the work requirement in accordance with N.J.A.C. 10:90-4.10, and shall not be required to meet the WFNJ/GA 28-day work activity requirement. See N.J.A.C. 10:90-2.9(a)(2)(x)(1). "The cash assistance benefit shall be issued at the employable rate until the recipient is determined unemployable for a minimum of six continuous months by the examining physician. ... Payment at the unemployable rate shall begin at the seventh month of unemployability. If medical documentation presented at application or redetermination indicates a period of unemployability of six months or more, then the unemployable cash assistance rate shall be issued upon a determination of eligibility." Ibid. An unemployable WFNJ/GA benefits assistance unit of one may be eligible to receive cash benefits of \$277.00 per month. See N.J.A.C. 10:90-3.6(a); DFD Informational Transmittal ("IT") 19-21. Conversely, an employable WFNJ/GA assistance unit of one may be eligible to receive cash benefits of \$185 per month. See N.J.A.C. 10:90-3.5; DFD Informational Transmittal ("IT") 19-21.

Here, the record reveals that, on June 30, 2025, the Agency received a completed MED-1 form from Petitioner's physician, indicating that Petitioner was temporarily unable to participate in a work activity for a period of five months, from June 30, 2025, to December 1, 2025. See Initial Decision at 2-3; see also Exhibit R-1 at 13. On July 8, 2025, the Agency processed the MED-1 form, and issued WFNJ/GA benefits to Petitioner in the amount of \$185. See Initial Decision at 3; see also N.J.A.C. 10:90-3.5. An Agency representative reviewed Petitioner's Individual Responsibility Plan ("IRP")



via telephone, and confirmed with Petitioner that she would receive the employable benefit amount, as her MED-1 form indicated that she was unable to work for five months. Ibid.; see also Exhibit R-1 at 14-15. Subsequently, for the months of June, July, August, and September, 2025, Petitioner received WFNJ/GA monthly benefits in the amount of \$185. See Initial Decision at 3. During October, 2025, due to either an administrative and/or clerical error, the Agency inadvertently processed WFNJ/GA benefits to Petitioner in the amount of \$277, after which the incorrect amount was corrected, and Petitioner was issued \$185 for the months of November, 2025, and December, 2025. See Initial Decision at 3; see also Exhibit R-1 at 16.

On January 12, 2026, Petitioner's physician submitted a new MED-1 form, which indicated that Petitioner would be unable to participate in a work activity for a period of six months, from January, 12, 2026 to July 12, 2026, at which time the Agency adjusted the WFNJ/GA to the unemployable benefit rate of \$277 per month. See Initial Decision at 3.

At the hearing, Petitioner contended that her WFNJ/GA benefit should have been \$277 per month from June, 2025 to December, 2025, as Petitioner's physician had indicated she had been unable to participate in a work activity since June 30, 2025. See Initial Decision at 3. The Agency however, contended that the applicant/recipient of WFNJ/GA benefits must have a MED-1 form indicating an inability to participate in a work activity for a minimum of six-months before benefits may be paid at an unemployable rate, and that the original MED-1, of June 30, 2025, indicated only a five-month period, and that the appropriate employable rate of benefits had been issued. See Initial Decision at 4.

Based on the testimonial and documentary evidence presented, the ALJ concluded that the MED-1 form of June 30, 2025 indicated that Petitioner was unable to participate in a work activity for a period of five-months (from June 30, 2025 to December 1, 2025), and that, pursuant to regulatory authority, the MED-1 must indicate a minimum of six-months of inability to participate in a work activity before the unemployable rate of benefits can be paid. See Initial Decision at 5; see also N.J.A.C. 10:90-2.9(a)(2)(x). Accordingly, the ALJ concluded that the Agency had correctly provided the proper amount of WFNJ/GA benefits to Petitioner, finding that she was eligible for the employable WFNJ/GA benefit rate from the date of the June 30, 2025, of \$185 per month, and became eligible for the unemployable WFNJ/GA benefit rate from the date of the second MED-1 form, dated January 12, 2026. Ibid. I agree.

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

Officially approved final version. July 02, 2026

---

Natasha Johnson  
Assistant Commissioner

