



## State of New Jersey

MIKIE SHERRILL  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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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 **18350-25 J.B.**

AGENCY DKT. NO. **C065784005 (CAPE MAY COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's sanctioning and termination of Work First New Jersey/General Assistance ("WFNJ/GA") benefits, and the termination of Emergency Assistance ("EA") benefits. The Agency sanctioned and terminated Petitioner's WFNJ/GA benefits, contending that he failed to comply with WFNJ protocol, and terminated his EA benefits because he failed to comply with the terms of his EA Service Plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 15, 2026, the Honorable Elaine B. Frick, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was then held open to allow for the submission of additional documentation, specifically regarding Petitioner's WFNJ/GA sanction being lifted effective February 1, 2026, and the record was closed on February 5, 2026. On February 18, 2026, the ALJ issued an Initial Decision, reversing the Agency's determinations, as to the Agency's termination of Petitioner's EA benefits, as well as the imposition of a six-month period of ineligibility for such benefits.

No Exceptions to the Initial Decision were received.

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 ADOPT the Initial Decision in this matter, and REVERSE the Agency determinations, based on the discussion below.

The ALJ in this matter issued a very thorough and comprehensive Initial Decision, outlining the procedural history, providing a detailed factual timeline, and rendering a well thought out analysis, applying law to fact. See Initial Decision at 2-19. Here, the record reflects that at some point Petitioner applied for, and began to receive, WFNJ/GA benefits, and that, on May 16, 2025, Petitioner applied for EA benefits. See Initial Decision at 3; see also Exhibit R-2. In connection with receipt of the EA benefits, Petitioner signed an EA "Short Service Plan" which included several responsibilities. Ibid. An EA SP was then executed by Petitioner on June 13, 2025. Ibid. The SP included language that informed Petitioner that receipt of EA benefits was conditioned upon his receipt of WFNJ, or Supplemental Security Income ("SSI"), benefits, and that compliance with his WFNJ Individual Responsibility Plan was required. Ibid.

Thereafter, Petitioner was sanctioned for failure to comply with his WFNJ Individual Responsibility Plan, a requirement for his receipt of WFNJ/GA benefits, and by extension, EA benefits. See Initial Decision at 4. The circumstances surrounding the WFNJ/GA sanction are methodically presented within the Initial Decision. See Initial Decision at 4-7; see also Exhibit R-2. On October 1, 2025, the Agency issued a termination notice to Petitioner in regards to his EA benefits, indicating that his benefits would end on October 30, 2025, and he would be subject to a six-month period of ineligibility for said benefits due to his failure to comply with his EA SP. See Initial Decision at 7; see also Exhibit R-2, and N.J.A.C. 10:90-6.6(a).



No information was provided on the termination notice as to what terms of the EA SP Petitioner failed to comply with. Ibid. During the course of testimony at the hearing, an Agency representative testified that the Agency's EA unit was informed that Petitioner's WFNJ/GA case had been sanctioned, and therefore his EA benefits were terminated. See Initial Decision at 8. As detailed within the Initial Decision, Petitioner was given multiple opportunities to have the WFNJ/GA sanction lifted, and following a denial of a MED-1 form for a work activity deferral, the Agency had Petitioner complete a new Individual Responsibility Plan on January 2, 2026, which required him to complete employment searches weekly for two weeks, which, when combined with attending a scheduled appointment with the Agency, would lift the sanction. See Initial Decision at 8-10. As of February 1, 2026, the WFNJ/GA sanction was lifted. See Initial Decision at 11; see also Exhibit R-4.

The sole remaining issue, at the time of the fair hearing, was whether Petitioner should receive a six-month EA ineligibility period following the loss of WFNJ/GA benefits, which had been imposed due to a sanction. See Initial Decision at 11. Based upon an additional, thorough, analysis by the ALJ, the contested issue regarding Petitioner's WFNJ/GA benefits closure had been rendered moot, as Petitioner's sanction had now been lifted. See Initial Decision at 11-17. In analyzing the EA benefits termination, the ALJ found that the EA benefits termination notice failed to indicate the provision of the EA SP which Petitioner failed to adhere to, and that, as Petitioner's WFNJ/GA sanction had now been lifted, his EA should not terminate, nor should he be subject to the imposition of a six-month period of ineligibility for EA benefits. See Initial Decision at 18-19. Based upon an independent review of the record, I agree.

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

Officially approved final version. April 23, 2026

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Natasha Johnson  
Assistant Commissioner

