



State of New Jersey

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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 **15500-25 J.S.**

AGENCY DKT. NO. **S650335012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits, contending that he failed to comply with his EA service plan ("SP"). 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 January 5, 2026, however, an adjournment was granted. On February 19, 2026, the Honorable Deirdre Hartman-Zohlman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On February 24, 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, Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I hereby MODIFY the Initial Decision and AFFIRM the Agency's determination, based on the discussion below.

The purpose of EA is to meet the emergent needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work activities without disruption and continue on a path to self-sufficiency. See N.J.A.C. 10:90-6.1(a). In order to maintain eligibility for EA benefits, the recipient must take reasonable steps to resolve his or her emergent situation. See N.J.A.C. 10:90-6.6(a). Reasonable steps include, but are not limited to, the EA benefits recipient participating in the development of, and complying with, a written and signed SP. Ibid. Failure to comply with the requirements identified in the SP, without good cause, shall result in the termination of EA benefits and the imposition of a six-month period of EA ineligibility. Ibid.

Here, the ALJ found, and the record substantiates, that Petitioner executed several SPs, on April 5, 2024, November 26, 2024, April 9, 2025, and August 1, 2025, wherein he agreed, among other things, to submit proof of his re-application for Supplemental Security Income ("SSI") and/or an appeal of any denial from SSI. See Initial Decision at 4; see also Exhibits R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, and N.J.A.C. 10:90-6.6(a). The ALJ found that Petitioner had not submitted any proof of such re-application and/or appeal of any denial. Ibid. Thereafter, the Agency notified Petitioner that his EA benefits would terminate for failure to comply with his SP. Ibid.; see also Exhibit R-9. Based on the facts presented, the ALJ concluded that the Agency's termination of Petitioner's EA benefits was proper and must stand. See Initial Decision at 2, 4-5. I agree.



A review of the August 1, 2025 termination notice indicates that the following citation was included, "N.J.A.C. 10:90-6.6(a)," which states: "Failure to comply with the mandatory activities of the service plan without good cause shall result in the termination of EA benefits for a period of 6 months." See Exhibit R-9. In addition, the SPs and verification lists include language that put Petitioner on notice regarding the imposition of a six-month period of EA ineligibility for failing to comply with the terms therein. See Exhibits R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8. Therefore, as I agree with the ALJ's conclusion, that the EA termination was proper, in accordance with regulatory authority set forth at N.J.A.C. 10:90-6.6(a), and that Petitioner received notice that the disqualification may be made due to non-compliance with his SP, I hereby also affirm the Agency's imposition of a six-month EA ineligibility penalty upon Petitioner. Ibid.; see also N.J.A.C. 10:90-6.6(a). The Initial Decision is modified to reflect this finding.

By way of comment, as Petitioner has received continued benefits pending the outcome of the fair hearing, Petitioner's six-month EA ineligibility penalty shall begin to run upon issuance of this Final Agency Decision.

By way of comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with his 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. April 16, 2026

Natasha Johnson
Assistant Commissioner

