



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 **20681-25 M.S.**

AGENCY DKT. NO. **S655514012 (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, contending that Petitioner failed to provide mandatory documentation necessary to continue receipt of said benefits, and terminated Petitioner's EA benefits because she was no longer a WFNJ cash benefits recipient, nor a Supplemental Security Income ("SSI") benefits recipient, and because she failed to comply with her EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On March 18, 2026, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents into evidence. The record was then held open until April 1, 2026, to allow for the submission of additional documentation and then closed. On May 11, 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 reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

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

In order to maintain eligibility for EA benefits, the recipient must take reasonable steps to resolve his or her emergent situation. 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 a six-month period of EA ineligibility. Ibid.

Here, the record reveals that the Agency sent Petitioner a Request for Contact on September 4, 2025, informing her that she needed to provide the Agency with mandatory forms, specifically her Individual Responsibility Plan ("IRP"), and that a failure to sign and return such forms would result in the termination of her WFNJ/GA benefits. See Initial Decision at 2; see also Exhibit R-1. Petitioner failed to respond to the Agency, and on October 1, 2025, the Agency sent Petitioner an additional Request for Contact, informing her that she needed to provide the Agency with mandatory forms, specifically her IRP, and that a failure to sign and return such forms would result in the termination of her WFNJ/GA benefits. Id. at 2; see also Exhibit R-2. Petitioner failed to respond to the Agency's second request and on October 22, 2025, the Agency



sent Petitioner a notice indicating that her WFNJ/GA benefits case would close effective November 1, 2025, for failure to complete her IRP and provide requested verifications necessary to determine eligibility for continued receipt of said benefits. See Initial Decision at 2-3; see also Exhibit R-4.

In order to determine eligibility for WFNJ benefits, mandatory verification of certain information is required. See N.J.A.C. 10:90-2.2. Eligibility for WFNJ/GA benefits requires the applicant to provide all necessary documentation. See N.J.A.C. 10:90-2.2(a)(5) (stating that "As a condition of eligibility for WFNJ benefits, the applicant shall, subject to good cause exceptions, be required to provide all necessary documentation."). At the time of the hearing, Petitioner testified that she had submitted the completed documentation to the Agency via email on November 17, 2025, however, she was unable to provide any documentary evidence to substantiate such testimony. See Initial Decision at 3. Based on the credible testimony and documentary evidence provided, the ALJ concluded that Petitioner had not provided all information required to continue receipt of WFNJ/GA benefits, and as such, the Agency's termination of WFNJ/GA benefits, effective November 1, 2025, was proper and must stand. See Initial Decision at 5; see also N.J.A.C. 10:90-2.2(c), -4.1(f). I agree.

Having made such finding regarding the termination of WFNJ/GA benefits to Petitioner, the ALJ further found that, because Petitioner was no longer neither a WFNJ, nor an SSI, benefits recipient, the household is ineligible for EA benefits, and as such, concluded that the Agency's termination of Petitioner's EA benefits was also proper and must be affirmed. See Initial Decision at 3-5; see also Exhibits EA R-6, EA R-7, EA R-8, and N.J.A.C. 10:90-6.2(a). I also agree.

In addition to Petitioner not being eligible for receipt of EA benefits, due to the termination of her WFNJ benefits, the Agency also contended that Petitioner had failed to comply with the terms of her EA SP. See Initial Decision at 3-4. On March 17, 2025, Petitioner entered into an EA SP, which included, among other terms, a condition that Petitioner complete housing searches weekly and provide a record of housing search logs to the Agency. Ibid.; see also Exhibits EA R-1, EA R-2. Such requirement was reiterated in Petitioner's EA SP on June 19, 2025, and she was required to submit overdue housing search logs from March, 2025 to June, 2025, to the Agency. See Initial Decision at 3; see also Exhibits EA R-4, EA R-5. Petitioner, in accordance with the terms of her SP, was also required to attend all scheduled meetings with Agency representatives, to provide compliance letters from her mental-health and pain-management programs and to provide information from her attorney representing her with respect to her application for Supplemental Security Income ("SSI"). See Initial Decision at 3; see also Exhibit EA R-5. Petitioner's EA benefits were ultimately terminated due to her no longer being eligible for receipt of WFNJ/GA benefits, however, the Agency further indicated she was in violation of the terms of her SP. See Initial Decision at 3-4; see also Exhibit EA R-7. At the hearing, Petitioner was instructed to provide the Agency with various information on or before April 1, 2026, in order to come into compliance with the terms of her SP. See Initial Decision at 4; see also Exhibit P-1. Petitioner's submissions, however, did not satisfy the outstanding documentation and verifications necessary to come into compliance with the terms of her SP. See Initial Decision at 4-5. Based on the foregoing, the ALJ concluded that the Agency had met its burden of proving that Petitioner was not in compliance with her EA SP, and therefore, the termination of her EA benefits was appropriate, and further that the Agency's imposition of a six-month EA ineligibility penalty was also proper and must stand. See Initial Decision at 4-5; see also N.J.A.C. 10:90-6.6(a). I agree and further note that if Petitioner is approved for SSI benefits, or if she reapplies for WFNJ/GA benefits and is approved for same upon the production of all required documentation and verifications, that the Agency may consider waiving the six-month EA ineligibility period based upon Petitioner's medical conditions. See Initial Decision at 5.

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

By way of further 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 ADOPTED, and the Agency's determination is AFFIRMED, as outlined above.

Officially approved final version. July 01, 2026

Natasha Johnson
Assistant Commissioner

