



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 **05717-26 P.J.**

AGENCY DKT. NO. **C028730006 (CUMBERLAND COUNTY BD OF SOC SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits and the imposition of a six-month period of ineligibility for EA benefits. The Agency terminated Petitioner's EA benefits, and imposed a six-month EA penalty, contending that she refused to sign her EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 13, 2026, the Honorable Tama B. Hughes, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On May 19, 2026, the ALJ issued an Initial Decision, affirming the Agency's termination of EA benefits to Petitioner, and reversing the Agency's imposition of a six-month EA ineligibility penalty.

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

In order to maintain eligibility for EA benefits, the recipient must take reasonable steps to resolve their emergent situation. See N.J.A.C. 10:90-6.6(a). Reasonable steps include, but are not limited to, the recipient participating in the creation of, and complying with, a written and signed service plan. Ibid. If a recipient fails to comply with the service plan, without good cause, then the recipient's EA benefits must be terminated, and a six-month period of ineligibility for EA benefits imposed. Ibid.

Here, the record reflects that Petitioner applied for EA benefits on December 24, 2025, and was approved by the Agency on January 26, 2026. See Initial Decision at 3-4; see also Exhibit R-1. Thereafter, Petitioner was advised that she must sign an EA SP, wherein she would have to agree to certain requirements in order to continue receiving EA benefits. Ibid. The Agency housed Petitioner in a shelter and she was informed that she would need to complete a mental health evaluation, which occurred in January, 2026. Ibid. On February 4, 2026, an Agency representative reviewed the EA SP, in person, with Petitioner, and explained that, pursuant to the terms of the SP, Petitioner would be housed at a residential health care facility, based upon the recommendations from her mental health evaluation, and that she would be required to participate in rehabilitation/counseling four to five times per week. See Initial Decision at 4; see also N.J.A.C. 10:90-6.6(a). Petitioner refused to sign the SP and refused the placement at a residential healthcare facility, even after she had been informed that her EA benefits would terminate if she did not sign the SP, and on March 6, 2026, Petitioner's EA benefits were terminated and a six-month ineligibility period for receipt of EA benefits was imposed. See Initial Decision at 4-5; see also N.J.A.C. 10:90-6.3(a)(1), -6.6(a).



Based on the foregoing, the ALJ recognized that Petitioner failed to sign her SP, and refused an appropriate placement offered by the Agency, however, the ALJ concluded that good cause existed to waive the six-month period of ineligibility for Petitioner, based upon Petitioner's mental health conditions. See Initial Decision at 5-6; see also N.J.A.C. 10:90-6.3(i)(1). I agree and as such, based on Petitioner's particular mental health circumstances, I find that she may reapply for EA benefits, and the Agency shall assist her with such reapplication, as necessary. Ibid.; see also N.J.A.C. 10:90-6.6(a). Further, Petitioner is advised that should she be found eligible for EA benefits, she will be required to sign an EA SP, to engage in mental health services/treatment(s), and to participate in the SAI/BHI program, and that such mandatory requirements shall be incorporated into her SP. See N.J.A.C. 10:90-6.1(c)(1)(iii), -6.6(a)(1)(iii)(7). Petitioner is further advised that failure to follow through with services to address those barriers may again result in a termination of EA benefits and the imposition of a six-month EA ineligibility penalty. See N.J.A.C. 10:90-6.6(a). Finally, Petitioner is also advised that the Agency shall determine the most appropriate form of emergency housing required to address the needs of an EA recipient. See N.J.A.C. 10:90-6.3(a)(1). The Agency's determination is modified to reflect the above findings.

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

Officially approved final version. July 07, 2026

Natasha Johnson
Assistant Commissioner

