



State of New Jersey

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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 **04924-26 R.H.**

AGENCY DKT. NO. **C047585012 (MIDDLESEX 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 ineligibility penalty, contending that she failed to comply with her EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 30, 2026, the Honorable Gauri Shirali Shah, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On March 31, 2026, the ALJ issued an Initial Decision, affirming the Agency's determinations.

An Exception to the Initial Decision was filed by Petitioner on April 1, 2026.

As Assistant Commissioner, Division of Family Development, Department of Human Services, following an independent review of the record, I hereby ADOPT 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. 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. 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 Petitioner applied for EA benefits on October 16, 2025, and, on that same date, Petitioner executed an EA SP, wherein she agreed, among other things, to attend all meeting with the Agency EA workers, to attend an evaluation by the Substance Abuse Initiative/Behavioral Health Initiative ("SAI/BHI"), and to participate in any recommended treatment and provide proof of same. See Initial Decision at 3; see also Exhibit R-2, and N.J.A.C. 10:90-6.6(a). Additionally, Petitioner received an EA Verification List which required substantially similar agreements. See Initial Decision at 3; see also Exhibit R-3. Petitioner failed to comply with the terms of her SP, including failing to attend appointments at the Agency, failing to comply with the rules of her housing placement which led to a Notice to Cease, and failing to provide SAI/BHI treatment compliance letters. See Initial Decision at 3; see also Exhibits R-2, R-3, R-4, R-5, R-6, R-7, R-8, R-9. On March 4, 2026, the Agency sent Petitioner a notice terminating her EA benefits, and imposing a



six-month EA ineligibility penalty, for failure to comply with her SP. See Initial Decision at 3-4; see also Exhibit R-11, and N.J.A.C. 10:90-6.6(a).

Based on the foregoing, the ALJ found, and the record reflects, that Petitioner failed to comply with the requirements contained in her SP, with no good cause credibly shown. See Initial Decision at 2-4; see also N.J.A.C. 10:90-6.6(a). Accordingly, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month EA ineligibility penalty, were proper and must stand. Ibid. I agree.

By way of comment, because Petitioner has received continued assistance pending the outcome of this fair hearing, her six-month EA penalty will begin to run as of the date of the issuance of this Final Agency Decision.

By way of further comment, I have reviewed Petitioner's Exceptions, and I find that the arguments made therein do not alter my decision in this matter.

By way of additional 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. April 07, 2026

Natasha Johnson
Assistant Commissioner

