State of New Jersey
TMENT OF HUMAN SERVICES
SION OF FAMILY DEVELOPMENT
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DEPARTMENT OF HUMAN SERVICES
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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 54-17 M.J.

AGENCY DKT. NO. C054107 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of her Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits contending that she violated the terms of her EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 7, 2017, the Honorable Leland S. McGee, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On February 27, 2017, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, Petitioner entered into an SP with the Agency under which she was obligated to participate in behavioral health counseling, to comply with shelter/motel rules, and to provide all requested documentation. See Initial Decision at 2-3; see also Exhibits R-3, R-8, and R-10. The ALJ found that Petitioner had failed to comply with her SP, without good cause, because, although transportation was provided to her by the Agency, she did not attend her behavioral health counseling sessions; she was evicted from several motel placements for failing to follow the motel rules; and she failed to provide the Agency with requested documentation. Ibid.; see also Exhibits R-4 and R-7. Accordingly, the ALJ concluded that the Agency's termination of Petitioner's EA benefits for violating her SP was proper and should be affirmed. See Initial Decision at 4; see also Exhibit R-12, and N.J.A.C. 10:90-6.6(a). I agree.

No Exceptions to the Initial Decision were filed.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the record and the ALJ's Initial Decision and, following an independent evaluation of the record, I agree with the Initial Decision and hereby adopt the Findings of Fact and Conclusions of Law in this matter.

By way of comment, a second transmitted issue in this matter, not specifically addressed by the ALJ, pertains to a sanctioning of Petitioner's Work First New Jersey/General Assistance ("WFNJ/GA") benefits for failure to comply with program requirements. Based on an independent review of the record, and the facts presented herein, I find that the Agency properly sanctioned Petitioner's Work First New Jersey/General Assistance benefits. See Initial Decision at 2-3; see also Exhibits R-4, R-11a, R-13, and N.J.A.C. 10:90-4.13.

By way of further comment, because I agree with the ALJ that Petitioner has violated her EA service plan, without good cause, I hereby impose a six-month period of EA benefits ineligibility, pursuant to N.J.A.C. 10:90-6.6(a). Further, because Petitioner has been receiving continued assistance of EA benefits pending the outcome of the fair hearing, the six-month EA ineligibility penalty shall begin to run as of the date of this Final Agency Decision.

Accordingly, the Initial Decision in this matter is hereby ADOPTED and the Agency's action is hereby AFFIRMED.

*Signed Copy on File*
at DFD, BARA

MAR 0 7 2017

Natasha Johnson
Director