



State of New Jersey

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Director

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 07681-18 A.W.

AGENCY DKT. NO. C165186007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of an exemption from the Work First New Jersey ("WFNJ") benefits lifetime limit. The Agency denied Petitioner an exemption from the WFNJ benefits lifetime limit contending that she did not have a valid MED-1 form. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 13, 2018, and continued on June 27, 2018, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was held open to allow Petitioner the opportunity to produce additional medical documentation, and then closed on July 6, 2018.

On July 19, 2018, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the record reflects that Petitioner had received 104 months of combined WFNJ/Temporary Assistance for Needy Families ("TANF"), and WFNJ/General Assistance ("GA") benefits, as of February 2018. See Initial Decision at 7; see also Exhibits R-1, R-2. As such, Petitioner has exhausted her 60-month lifetime limit of WFNJ benefits. See N.J.A.C. 10:90-2.3(a). Petitioner applied for an exemption from the WFNJ benefits lifetime limit, and provided the Agency with a MED-1 form indicating a 12-month disability, which pursuant to regulatory authority, would allow for an exemption from said time limit. See Initial Decision at 3; see also Exhibit P-1 at 3, and N.J.A.C. 10:90-2.4(a)(3)(i). The record also reflects that Petitioner has a Supplemental Security Income ("SSI") benefits appeal pending. See Initial Decision at 8; see also Exhibit P-5. The Agency had denied Petitioner an exemption from the WFNJ benefits time limit contending that Petitioner's MED-1 form was incomplete, and that having reached 102 months of WFNJ benefits, it was expected that Petitioner would be receiving SSI benefits if she is indefinitely unemployable. See Initial Decision at 3. However, the ALJ found that Petitioner's 12-month MED-1 form, along with the substantiating medical documentation provided by Petitioner, indicates that Petitioner is unable to work due to her disabilities, and as such, that she meets the regulatory criteria for an exemption from the WFNJ benefits lifetime limit. See Initial Decision at 2-3, 5-7; see also Exhibits P-1, P-2, P-3, and N.J.A.C. 10:90-2.4(a)(3)(i). Therefore, the ALJ concluded that Petitioner is eligible for WFNJ/GA benefits and that the Agency's denial of said benefits to Petitioner was improper and must be reversed. See Initial Decision at 8. I agree.

No Exceptions to the Initial Decision were received.

As the Director of the 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 concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is REVERSED.



Officially approved final version.

Natasha Johnson

Director

AUG 16 2018

