



State of New Jersey

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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 05920-18 M.M.

AGENCY DKT. NO. S568946012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits and its denial of an extension of EA benefits under the Provisional Housing-Awaiting Supplemental Security Income/Social Security Disability Insurance Eligibility ("PHASE") Pilot Program. The Agency terminated Petitioner's EA benefits contending because she had exhausted her lifetime limit of EA benefits, plus all available extreme hardship extensions, and denied Petitioner an extension of EA under PHASE because she did not meet the eligibility requirements for that pilot program. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 1, 2018, the Honorable Tricia M. Caliguire, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On May 2, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner, a Work First New Jersey/General Assistance ("WFNJ/GA") benefits recipient, has exhausted her 12-month lifetime limit of EA benefits, plus one six-month extreme hardship extension, and does not qualify for an extension of EA benefits under PHASE. See Initial Decision at 2-3, 5; see also Exhibit R-7, and N.J.A.C. 10:90-6.4(a), (b), (c), and -6.9. Specifically, the ALJ found that Petitioner did not have a 12-month MED-1 form, that she did not have an Supplemental Security Income ("SSI") or Social Security Disability Insurance ("SSDI") application or appeal pending, and that she is not the sole caretaker of a severely disabled member of the assistance unit, and as such, she did not qualify for an extension of EA benefits under PHASE. See Initial Decision at 5; see also N.J.A.C. 10:90-6.9. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, and its denial of an extension of EA benefits under PHASE, were proper and must stand. *Ibid.*; see also Exhibits R-8, R-9. 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.

By way of 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.

Officially approved final version.

MAY 04 2016

Natasha Johnson

Director

