



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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Commissioner

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Lt. Governor

NATASHA JOHNSON
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 14541-18 R.E.

AGENCY DKT. NO. S412344010 (HUNTERDON COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits contending that he had exhausted his lifetime limit of EA benefits, plus all available extensions. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 9, 2018, the Honorable Elia A. Pelios, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On October 10, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that Petitioner, a Supplemental Security Income ("SSI") benefits recipient, had previously received 41 and one-half months of EA benefits. See Initial Decision at 2; see also Exhibit R-1 at 13-16. Based on the foregoing, the ALJ found that Petitioner had exhausted his 12-month lifetime limit of EA benefits, plus all extreme hardship extensions, and does not qualify for an extension of EA benefits under the recently promulgated Provisional Housing-Awaiting Supplemental Security Income/Social Security/Disability Insurance Eligibility ("PHASE") Pilot Program because he is an SSI benefits recipient. See Initial Decision at 3-4; see also N.J.A.C. 10:90-6.4(a), (b), (c) and -6.9. Therefore, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 4; see also Exhibit R-1 at 8-11. 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 his 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.

OCT 11 2018

Natasha Johnson
Director

