



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 16842-17 R.R.

AGENCY DKT. NO. C140805003 (BURLINGTON COUNTY BD. OF SOC. SVCS)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits contending that he has exhausted his 12-month lifetime limit of EA benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for December 18, 2017, but was adjourned to allow Petitioner the opportunity to obtain documents necessary to establish eligibility for an extension of EA benefits. On January 17, 2018, the Honorable Carl V. Buck, III, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record remained open for submission of additional documents. No additional documents were received, and the record then closed on February 12, 2018. On March 5, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination.

Under the Work First New Jersey ("WFNJ") regulations, EA benefits are limited to 12 cumulative months during the lifetime of a case, plus limited extensions. See N.J.A.C. 10:90-6.4(a) and -6.4(b). A WFNJ/General Assistance ("WFNJ/GA") benefits recipient may qualify for up to an additional six months of EA benefits when an "extreme hardship" exists, pursuant to the criteria set forth in N.J.A.C. 10:90-6.4(b)(1). See N.J.A.C. 10:90-6.4(c).

Here, the record reflects that Petitioner had received 12 months of EA benefits as of October 2017, and as such, by notice dated October 11, 2017, the Agency terminated Petitioner's EA benefits, effective October 23, 2017. See Initial Decision at 2; see also Exhibit R-2, and N.J.A.C. 10:90-6.4(a). The ALJ found that Petitioner had failed to provide any documentation necessary to establish that he met the requirements for an extreme hardship extension of EA benefits, notwithstanding that he had been granted an adjournment of the hearing to obtain such documentation and provide such documentation to the Agency. See Initial Decision at 3-5. Based on the foregoing, the ALJ concluded that Petitioner has exhausted his 12-month lifetime limit of EA benefits, and that the Agency's termination of Petitioner's EA benefits was proper, and must stand. See Initial Decision at 5; see also Exhibit R-1, and N.J.A.C. 10:90-6.4(a), (b). I agree.

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.



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

Officially approved final version.

APR 09 2018

Natasha Johnson
Director

