



## State of New Jersey

### DEPARTMENT OF HUMAN SERVICES

Division of Family Development  
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*Governor*

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*Director*  
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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 9339-15 A.R.

AGENCY DKT. NO. GA361599 (UNION COUNTY DIVISION OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA") benefits and Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's WFNJ/GA benefits because she had exceeded her 60-month lifetime limit for WFNJ/GA benefits. The Agency terminated Petitioner's EA benefits because she was no longer a WFNJ/GA cash recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 29, 2015, the Honorable Ellen S. Bass, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On June 29, 2015, the ALJ issued her Initial Decision, reversing the Agency's determination. Here, the ALJ found that although Petitioner exceeded her 60-month lifetime limit for WFNJ/GA benefits, she had provided the Agency with a valid MED-1 form indicating a 12-month disability, had provided the Agency with MED-1 forms over the years, exempting her from the WFNJ work activity, and has not worked consistently since 2000, and therefore, she qualifies for an exemption from the WFNJ cumulative lifetime limit for WFNJ/GA benefits. See Initial Decision at 2-4; see also N.J.A.C. 10:90-2.4(a)(3), -2.4(a)(4). Additionally, the record shows that the parties agreed that if Petitioner was found eligible for an exemption under N.J.A.C. 10:90-2.4, she would be provided with WFNJ/GA benefits, as well as EA benefits under the Housing Assistance Program. See Initial Decision at 3.

Exceptions to this Initial Decision were filed by the Agency on June 30, 2015.

A Reply to the Agency's Exceptions was filed by Legal Services, on behalf of Petitioner, on July 2, 2015.

As the Director of the Division of Family Development ("DFD"), 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 in this matter.

By way of comment, I have reviewed the Agency's Exceptions, and I find that the arguments made therein do not alter my decision in this matter. I note for the benefit of Petitioner's counsel that replies to exceptions or cross-exceptions are not permitted in DFD hearings. See N.J.A.C. 1:10-18.2.

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

**JUL 13 2015**

*Signed Copy on File*  
at DFD, BARA

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Natasha Johnson  
Director