



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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Chris Christie
Governor

Kim Guadagno
Lt. Governor

Elizabeth Connolly
Acting Commissioner

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 1732-15 B.S.

AGENCY DKT. NO. GA47230 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals the Respondent Agency's delayed determination of her application for an exemption from the 60-month cumulative lifetime Work First New Jersey ("WFNJ") benefits limit. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 11, 2015, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On March 13, 2015, the ALJ issued an Initial Decision which reversed the Agency determination.

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 record in this matter and the ALJ's Initial Decision, and having made an independent evaluation of the record, I ADOPT the Initial Decision and REVERSE the Agency determination.

I agree with the ALJ that the Agency's termination of Petitioner's WFNJ benefits based upon exhaustion of the 60-month cumulative lifetime benefits limit was not timely. N.J.A.C. 10:90-2.4; -9.1(b)(1). Initial Decision at 3-4. Like the ALJ, I find the adverse action letter was dated more than four months after the effective date of the termination. N.J.A.C. 10:90-9.1(b)(1). Initial Decision at 3-4. In addition, I note the Agency issued the adverse action letter a week after Petitioner's fair hearing request was transmitted to the OAL. Initial Decision at 2; Exhibit R-1 at 1.

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

Signed Copy on File
at DFD, BARA

MAY 11 2015

Natasha Johnson
Director