



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
P.O. Box 716
TRENTON, NEW JERSEY 08625
(609) 588-2400

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 916-15 E.J.

AGENCY DKT. NO. GA221947 (SALEM COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency terminated Petitioner's WFNJ/GA benefits for a period of nineteen months because he received a lump sum disability payment. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 9, 2015, the Honorable Bruce M. Gorman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On February 23, 2015, the ALJ issued an Initial Decision, which affirmed the Agency's action.

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 ADOPT the ALJ's Initial Decision and AFFIRM the Agency's determination.

The purpose of the WFNJ Program is to assist needy individuals by providing them with transitional support that enables them to become self-sufficient and avoid the need for public assistance in the future. N.J.S.A. 44:10-56. GA is a component of WFNJ that provides assistance to adults without dependent children. N.J.A.C. 10:90-1.1(b).

When a nonrecurring earned or unearned lump sum payment is received, that income shall be used to repay assistance granted in accordance with the agreement to repay. After the agreement to repay is satisfied, any lump sum remaining will be added together with all other countable income received that month by the eligible assistance unit after application of the appropriate disregards. N.J.A.C. 10:90-3.18(c). An appropriate disregard is considered as money spent to "purchase items that are integral in promoting self-sufficiency, such as the purchase of a first vehicle, vehicle repairs or essential household items." N.J.A.C. 10:90-3.18(c)(1). If the remaining amount exceeds 200 percent of the payment level for the assistance unit size then the assistance unit is ineligible for the number of full months derived by dividing this total income by the payment level applicable to the eligible assistance unit size. N.J.A.C.10:90-3.18(d).

The record clearly indicates that Petitioner received a lump sum disability payment in the amount of \$6,429. See Initial Decision at 2. There is no agreement to repay. See Exhibit R-1 at 3. Additionally, the record is devoid of any appropriate disregards to be considered regarding the lump sum payment. See N.J.A.C. 10:90-3.18(c)(1).

Accordingly, I find that the Agency properly terminated Petitioner's WFNJ/GA benefits for nineteen months, by dividing the lump sum payment of \$6,429 by the applicable payment level of \$324 for one person. See N.J.A.C. 10:90-3.18(d)(1).

Based on the foregoing, the Initial Decision is ADOPTED and the Agency's action is AFFIRMED.

APR 14 2015

Signed Copy on File

at DFD, BARA

Natasha Johnson
Director