



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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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 9361-14 L.L.

AGENCY DKT. NO. GA106794 (GLOUCESTER COUNTY DIV. OF SOC. SVCS.)

Petitioner filed an appeal seeking to rescind a lien payment for Work First New Jersey/General Assistance ("WFNJ/GA") benefits received by the Petitioner from September 15, 2011 through June 30, 2014 (Exhibit R-1 at 1). The lien was satisfied from the proceeds of a personal injury lawsuit settlement and paid by Petitioner's attorney on her behalf to the Agency on June 27, 2014. Ibid.

Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 29, 2014, the Honorable W. Todd Miller, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was closed on August 29, 2014. On September 3, 2014, the ALJ issued his Initial Decision denying the Petitioner's request to rescind the lien payment.

No exceptions were filed to the Initial Decision.

As the Director of the Division of Family Development, Department of Human Services, I have considered the record for this matter and the ALJ's Initial Decision, and having made an independent evaluation of the record, I accept and adopt the Findings of Fact and Conclusions of Law as contained in the Initial Decision.

N.J.S.A. 44:1-64 and N.J.A.C. 10:90-7.8 require the repayment of assistance granted to an individual from the date of eligibility where a claim has been liquidated and a WFNJ-10D agreement to repay has been executed by the individual. (Exhibit R-1 at 17). The repayment of the lien by the Petitioner's attorney was required by applicable law. Therefore, I conclude that Petitioner's appeal seeking to rescind the lien is without merit and her request to rescind the lien was properly denied by the ALJ.

Accordingly, the Initial Decision in the action is hereby ADOPTED. The Agency's collection of the lien is AFFIRMED.

NOV 01 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director