



## 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 9004-14 M.C.

AGENCY DKT. NO. C171322 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 4, 2014, the Honorable Imre Karaszegi, Jr., Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On August 6, 2014, the ALJ issued an Initial Decision which reversed the Agency determination and remanded the matter to verify the total number of WFNJ/TANF and Emergency Assistance ("EA") units exhausted by Petitioner.

The Agency submitted exceptions on August 19, 2014, and Petitioner on September 2, and 9, 2014.

As the Director of the Division of Family Development, Department of Human Services, I independently reviewed the record and hereby REVERSE the Initial Decision and AFFIRM the Agency determination.

"Eligibility for cash assistance benefits shall be limited to a lifetime total of 60 cumulative months for an adult individual." N.J.A.C. 10:90-2.3(a). At the end of an individual adult recipient's 60 cumulative months of receipt of cash assistance, the assistance unit shall no longer be eligible to receive [WFNJ] assistance." N.J.A.C. 10:90-2.3(a)(1).

The Agency terminated WFNJ/TANF in June 2014 because Petitioner exhausted her lifetime total of 60 cumulative months of WFNJ eligibility, and is not eligible for any exemption or additional extension. N.J.A.C. 10:90-1.1(d); -2.3(a); -2.4; -2.5.

The ALJ in material part found the Agency did not prove service of the adverse action letter or establish the total number of WFNJ/TANF and EA units provided to Petitioner.

I take notice Petitioner requested a fair hearing the day after the Agency issued the adverse action letter, and reject the finding the Agency did not provide adequate notice of the termination of WFNJ/TANF.

The check history downloaded from the Family Assistance Management Information System ("FAMIS") is sufficient credible evidence to support the termination of WFNJ/TANF. The FAMIS report is an appropriately notated business record with sufficient assurances of reliability. The report reflects regular payments consistent with WFNJ/TANF cash assistance, and in a total number significantly greater than 60, even after accounting for larger or irregular payments. Although not relied upon by me, I note the FAMIS report is consistent with the documents and proffered testimony the Agency contends the ALJ inappropriately excluded. I therefore find it is unnecessary to remand this matter to the Agency for further evaluation.

Because Petitioner is not a WFNJ/TANF recipient, she is not eligible for EA. N.J.A.C. 10:90-6.2.

Petitioner may reapply for WFNJ cash benefits if she believes she may be eligible for an exemption or extension.

For the foregoing reasons, I REVERSE the Initial Decision and AFFIRM the Agency determination.

**OCT 16 2014**

*Signed Copy on File*

at DFD, BARA

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Jeanette Page-Hawkins  
Director