



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

REMAND DECISION

OAL DKT. NO. HPW 6724-15 O.K.

AGENCY DKT. NO. GA533075 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from Respondent Agency's denial of Emergency Assistance ("EA") benefits because Petitioner's Work First New Jersey/General Assistance ("WFNJ/GA") application had been previously denied due to non-compliance with his work requirement, resulting in a sanction. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 13, 2015, the Honorable Irene Jones, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On May 13, 2015, the ALJ issued her Initial Decision reversing the Agency's determination. At the hearing, Petitioner presented two Case Worker Referral Response Forms dated February 4, 2015 and April 1, 2015, confirming that Petitioner is compliant with his Substance Abuse Initiative ("SAI") requirement. See Initial Decision at 1. The April 1, 2015 Response Form indicates that Petitioner is SAI compliant and requests that his sanction be lifted. *Ibid.* The Agency representative at the hearing testified that she was seeing these documents for the first time. See Initial Decision at 2.

The ALJ concluded that the Response Forms remove the instant controversy. See Initial Decision at 2. Therefore, the ALJ ordered Petitioner to return to the Agency with these forms and a copy of the Initial Decision. *Ibid.* The ALJ further ordered the Agency to take Petitioner's GA application, and that Petitioner is not required to perform a new 28-day work activity as he has completed the SAI program. *Ibid.*

No Exceptions to the Initial Decision were filed by either party.

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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 I concur with the ALJ's decision and hereby adopt the Findings of Fact and Conclusions of Law in this matter.

Accordingly, the Initial Decision in this matter is ADOPTED, the Agency determination is REVERSED, and this case is REMANDED to the Agency for further action as outlined above.

MAY 21 2019

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director