



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 10575-14 P.F.

AGENCY DKT. NO. GA250286 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from Respondent Agency's denial of her request for Emergency Assistance ("EA"). The Agency denied Petitioner's request for EA because her Work First New Jersey/General Assistance ("WFNJ/GA") benefits have terminated as the result of a conviction for distribution of a controlled dangerous substance ("CDS"). Because the Petitioner appealed, this matter was transmitted to the Office of Administrative Law for a hearing. On August 25, 2014, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held an emergent hearing, took testimony and admitted documents. On the same date, the ALJ issued an Initial Decision affirming 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 for this matter and the ALJ's Initial Decision, and I ACCEPT and ADOPT the Findings of Fact and Conclusions of Law as contained in the Initial Decision.

In order to be eligible for the WFNJ/GA program, the individual receiving assistance must be free of certain drug convictions. Specifically, an individual convicted on or after August 22, 1996 under federal or state law for any offense which is classified as a felony or crime, as appropriate under the laws of the jurisdiction involved and which has an element of the possession, use, or distribution of a controlled substance is ineligible for WFNJ/GA benefits. N.J.A.C. 10:90-18.6.

The purpose of EA is to meet the emergent needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work activities without disruption and continue on a path to self-sufficiency. N.J.A.C. 10:90-6.1(a). In order to be eligible for EA, the applicant must be a WFNJ or Supplemental Security Income ("SSI") recipient. N.J.A.C. 10:90-6.2.

Here, the Petitioner candidly admitted at the hearing that she has a conviction for a CDS distribution that occurred after August 22, 1996. As such, the termination of Petitioner's WFNJ/GA is appropriate. Because Petitioner is no longer a WFNJ/GA recipient, she does not qualify for EA. N.J.A.C. 10:90-6.2.

Accordingly, I hereby ADOPT the Initial Decision and AFFIRM the Agency determination.

AUG 29 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director