



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 5285-14 T.W.

AGENCY DKT. NO. C183541 (CAMDEN COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of her Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. Petitioner's WFNJ/TANF benefits were terminated because she exhausted the maximum lifetime limit for these benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 17, 2014, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On August 4, 2014, the ALJ issued her Initial Decision affirming the Agency determination.

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.

Pursuant to N.J.A.C. 10:90-2.3(a), "eligibility for cash assistance benefits shall be limited to a lifetime total of 60 cumulative months for an adult individual recipient." However, an individual may receive additional months of cash assistance if he or she qualifies for an exemption as set forth at N.J.A.C. 10:90-2.4. Specifically, a WFNJ/TANF recipient is exempted from the 60 month lifetime limit if the recipient is a permanently disabled individual. N.J.A.C. 10:90-2.4(a)(3).

A permanently disabled individual is defined as "an individual whose physical or mental impairment, defect or injury prevents him or her from engaging in full-time employment for a period of 12 or more months as certified by an attending physician . . . on a minimum of one WFNJ/MED-1, Examination Report." Id. at -2.4(a)(3)(i).

Here, Petitioner has received 132 months of WFNJ/TANF benefits. Thus, Petitioner is ineligible to receive any additional WFNJ/TANF cash assistance because she has already received more than twice the monthly lifetime amount of benefits permitted by regulation. N.J.A.C. 10:90-2.3(a).

Petitioner testified at the hearing that she has been unable to obtain a MED-1 documenting disability and that her application for Social Security Disability Insurance has been denied. Initial Decision at 2. Petitioner is therefore ineligible for an exemption from the 60 cumulative months lifetime maximum total for receipt of WFNJ/TANF cash assistance pursuant to N.J.A.C. 10:90-2.4(a)(3)i. Consequently, I conclude that Petitioner's benefits have properly been terminated because she has received the cumulative maximum amount of lifetime benefits permitted by regulation.

Accordingly, the Initial Decision in the action is hereby ADOPTED and the Agency action is AFFIRMED.

SEP 29 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director