



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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NATASHA JOHNSON
Assistant Commissioner

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 **10214-23 M.G.**

AGENCY DKT. NO. **C316614007 (ESSEX COUNTY DIVISION OF WELFARE)**

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency denied Petitioner WFJN/TANF benefits, contending that she had exhausted her lifetime limit of said benefits and that she did not meet the criteria for an exemption from the WFNJ/TANF benefits time limit. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A telephonic plenary hearing was initially scheduled for November 30, 2023, but was adjourned to allow Petitioner the opportunity to retain counsel. The matter was rescheduled for a telephone conference on December 11, 2023, at which time Petitioner advised that she was not able to obtain counsel and wished to proceed with the fair hearing. On December 13, 2023, the Honorable Julio C. Morejon, Administrative Law Judge ("ALJ"), held the telephonic plenary hearing, took testimony, and admitted documents. Without objection, Petitioner was permitted to submit post hearing exhibits and the record then closed on December 14, 2023.

On December 29, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. The ALJ in this matter issued a very thorough and comprehensive Initial Decision, outlining the procedural history, providing a detailed factual timeline, and rendering a well thought out analysis, applying law to fact. See Initial Decision at 2-7. Specifically, the ALJ concluded that, at the time Petitioner applied for WFNJ/TANF benefits she had received over 60 cumulative months of WFNJ/TANF benefits, and as such, she had exhausted her lifetime limit of said benefits. See Initial Decision at 6; see also N.J.A.C. 10:90-2.3(a). In order to be granted continued WFNJ/TANF benefits, Petitioner had to qualify for an exemption from the WFNJ benefits lifetime limit. See Initial Decision at 3-4, 6; see also R-2 at Exhibit 6, and N.J.A.C. 10:90-2.4(a). The ALJ further concluded that Petitioner had not provided the Agency with a 12-month MED-1 form, indicating a 12-month disability, required for her to qualify for an exemption from the WFNJ/TANF lifetime limit until after its denial of Petitioner's application on May 8, 2023. See Initial Decision at 6; see also R-2 at Exhibit 11, and N.J.A.C. 10:90-2.4(a)(3). Additionally, although not a transmitted issue, and although the records indicates that Petitioner was not properly noticed of the Agency's February 22, 2023, denial of WFNJ/TANF benefits, the ALJ concluded, Petitioner admitted, and the record substantiates that when Petitioner applied for WFNJ/TANF benefits on February 22, 2023, she was receiving Unemployment Insurance Benefits ("UIB"), which UIB income made Petitioner ineligible for WFNJ/TANF benefits. See Initial Decision at 3-4, 6; see also R-1 at Exhibits 2, 3, R-2 at Exhibits 6, 8, 9, and N.J.A.C. 10:90-3.1(a), (b), -3.2(a), -3.3(b), and Division of Family Development Instruction ("DFDI") No. 19-21. Based on the foregoing, the ALJ concluded that the Agency's May 8, 2023, denial of WFNJ/TANF benefits to Petitioner, and its prior February 22, 2023, denial of WFNJ/TANF benefits to Petitioner, were proper and must stand. See Initial Decision at 4-6; see also Exhibit R-1 at 4-7. I agree.

Exceptions to the Initial Decision were filed by Petitioner on January 12, 2024, and January 23, 2024.



As Assistant Commissioner, DFD, Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

By way of comment, the record indicates that Petitioner has since provided a valid MED-1 form to the Agency, and Petitioner confirmed that she began receiving WFNJ/TANF benefits on November 28, 2023, retroactive to July 24, 2023. See Initial Decision at 4; see also R-1 at Exhibit 5.

By way of further comment, I have reviewed Petitioner's Exceptions, and I find that the arguments made therein do not alter my decision in this matter.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is AFFIRMED.

Officially approved final version. March 13, 2024

Natasha Johnson
Assistant Commissioner

