



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

SARAH ADELMAN
Commissioner

TAHESHA L. WAY
Lt. Governor

TRENTON, NJ 08625-0716

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 **14079-23 S.L.**

AGENCY DKT. NO. **C039269002 (BERGEN COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's sanctioning of her Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency sanctioned Petitioner's WFNJ/GA benefits, due to Petitioner's noncompliance with the mandatory Supportive Assistance to Individuals and Families ("SAIF") program. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 27, 2024, the Honorable Kelly J. Kirk, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On March 13, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

The SAIF program assists eligible WFNJ recipients to become self-sufficient before they exhaust their 60-month WFNJ lifetime limit. See N.J.A.C. 10:90-2.20(a). The 24-month program offers intensive case management to individuals who have received 48 months of WFNJ benefits, who have complied with WFNJ requirements, have not become self-sufficient, and who do not appear to be exempt from the 60-month lifetime limit under N.J.A.C. 10:90-2.4. Ibid. SAIF participants are eligible for an extension of WFNJ cash benefits, social, and work support services for up to 12 additional months beyond the 60-month lifetime limit, or a maximum of 72 months. See N.J.A.C. 10:90-2.20(c) and (g). Failure to begin, or continue to participate in an assigned activity, without good cause, shall be considered a refusal to cooperate and result in sanctioning and penalties being imposed, in accordance with N.J.A.C. 10:90-4.13 through N.J.A.C. 10:90-4.18. See N.J.A.C. 10:90-2.20(f).

Here, 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. The record reveals that Petitioner has received 53 months of WFNJ benefits, and is employable. Id. at 2; see also Exhibit R-1. Petitioner was referred to the SAIF program on September 13, 2023. See Initial Decision at 2. While the record shows that Petitioner attended her intake appointment on October 6, 2023, the SAIF program vendor advised the Agency that she missed her three scheduled appointments thereafter and as such, Petitioner was in non-compliance with the SAIF Program. Ibid. Petitioner did not contact the SAIF vendor, nor did she contact the Agency, and various attempts by the vendor to contact Petitioner via telephone were unsuccessful. Ibid. As a result, Petitioner was terminated from the SAIF Program, and by notice dated November 16, 2023, Petitioner was advised that her WFNJ/GA benefits would be sanctioned effective December 1, 2023; her benefits would be suspended effective January 1, 2024, if Petitioner had



not come into compliance; and further, her WFNJ/GA case would be closed effective February 1, 2024, if she had not come into compliance. Id. at 3; see also Exhibit R-1 at N.J.A.C. 10:90-4.13. The ALJ in this matter found that Petitioner had did not provide any good cause for failing to comply with SAIF, and as such, that the Agency's sanctioning of Petitioner's WFNJ/GA benefits was proper and must stand. See Initial Decision at 6-7; see also Exhibit R-1, and N.J.A.C. 10:90-2.20(f). I agree.0

By way of comment, as Petitioner has received continued assistance pending the outcome of this fair hearing, the sanctioning of Petitioner's WFNJ/GA benefits shall commence in the first full month following issuance of this Final Agency Decision.

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

Officially approved final version. April 30, 2024

Natasha Johnson
Assistant Commissioner

