



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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SARAH ADELMAN
Commissioner

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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 11690-23 Z.D.

AGENCY DKT. NO. C082605014 (MORRIS CO. OFFICE OF TEMP ASSISTANCE)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. Upon a redetermination for continued receipt of WFNJ/TANF benefits, the Agency terminated Petitioner's WFNJ/TANF benefits, contending that she had failed to submit all mandatory verifications requested and needed to complete her redetermination process. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 7, 2023, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. The record was held open to allow for the submission of additional documents, which were submitted on December 14 and December 21, 2023, and the record then closed on December 21, 2023. On January 9, 2024, the ALJ issued an Initial Decision, reversing the Agency's determination.

Exceptions to the Initial Decision were filed by the Agency on January 12, 2024.

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, REVERSE the Agency's determination, and REMAND the matter to the Agency, based on the discussion below.

Here, based upon an independent review of the lengthy record in this case, I concur with the ALJ's decision and hereby ADOPT the Findings of Fact and Conclusion of Law in this matter. See Initial Decision at 2-5; see also Exhibits P-1, P-2, P-3, R-1, R-2, and N.J.A.C. 10:90-2.2(a)(5), (d), -3.22.

However, I take note of the Exceptions filed by the Agency on January 12, 2024, wherein the Agency stated, and provided documentation dated October 20, 2023, from Petitioner's designated representative, indicating that Petitioner had requested that her WFNJ/TANF case be closed, effective that same date, October 20, 2023. For reasons unknown, this information was not provided at the time of the fair hearing, which information may have changed the outcome of said fair hearing. Further, as the validity of Petitioner's request is unclear, I am remanding the matter to the Agency to validate Petitioner's letter request, and if same is determined to be valid, then, on that basis, I direct the Agency to properly notice Petitioner of the termination of her WFNJ/TANF benefits, effective the date of the WFNJ/TANF case closure. See N.J.A.C. 10:90-9.1(d)(2).

Accordingly, the Initial Decision is hereby ADOPTED, the Agency's determination is REVERSED, and the matter REMANDED to the Agency, as outlined above.



Officially approved final version. March 15, 2024

Natasha Johnson
Assistant Commissioner

