



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 9375-14 B.T.

AGENCY DKT. NO. C099941 (MONMOUTH COUNTY DIV. OF SOC. SVCS)

Petitioner appeals from the Respondent Agency's termination of her Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF"), Emergency Assistance ("EA") benefits. The Agency terminated WFNJ/TANF benefits because the Petitioner had exhausted her 60-month cumulative lifetime limit and terminated EA because the Petitioner is not eligible to receive WFNJ/TANF benefits.

Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 5, 2014, the Honorable Susan M. Scarola, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was closed on September 5, 2014. On September 19, 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.

The ALJ found that Petitioner has exceeded her 60 month lifetime limit of WFNJ/TANF benefits having received more than 95 months of WFNJ/TANF cash assistance. Initial Decision at 7. 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 to or extension of the time limit or is a participant in the SAIF Program, as set forth at N.J.A.C. 10:90-2.4, 2.5 and 2.20 respectively.

Petitioner has also exhausted the extensions provided for under the SAIF Program. See N.J.A.C. 10:90-2.20(j) (indicating that an individual who has exhausted their 60 month lifetime limit of benefits is only eligible for two six-month extensions through their participation in the SAIF Program). Further, Petitioner is not eligible for any exemption from or extension to the 60 month lifetime limit pursuant to N.J.A.C. 10:90-2.4 and -2.5 respectively. Moreover, because Petitioner is ineligible for WFNJ/TANF benefits, she is also not eligible for EA. See N.J.A.C. 10:90-6.2 (limiting eligibility for EA to only WFNJ recipients or SSI recipients). Therefore, the Agency's termination of WFNJ/TANF benefits and EA was appropriate.

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.

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

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Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director