



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 7333-14 C.G.

AGENCY DKT. NO. GA186006 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of his application for both Work First New Jersey/General Assistance ("WFNJ/GA") and Emergency Assistance ("EA") benefits. The Agency denied Petitioner WFNJ/GA and EA benefits because he failed to appear for a work activity. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 1, 2014, the Honorable Michael Antoniewicz, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence. On July 9, 2014, the ALJ issued his 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 hereby adopt the Initial Decision in this matter.

The record in this matter reveals that Petitioner applied for WFNJ/GA benefits on April 11, 2014. See Exhibit R-2. Petitioner was then given an appointment to appear for a work activity on April 14, 2014. Ibid. Petitioner failed to appear for that appointment. See Initial Decision at 2. On May 8, 2014, the Agency issued an adverse action notice indicating that Petitioner was denied both WFNJ/GA and EA for failure to appear for the work activity. See Exhibit R-1.

Petitioner asserts that he submitted a MED-1 form to the Agency, however, no copy of a dated MED-1 form was submitted by Petitioner into evidence to support his contention that the form was obtained and/or submitted between Petitioner's application on April 11, 2014, and the May 8, 2014, denial notice. As such, I agree with the ALJ that the Agency's May 8, 2014, denial of both WFNJ/GA and EA benefits was appropriate.

By way of comment, I note that the ALJ's Initial Decision addresses only the EA denial. However, that the transmittal form indicates a contested issue as to a denial of WFNJ/GA benefits. As the receipt of EA benefits is predicated on eligibility for cash benefits under the WFNJ program, N.J.A.C. 10:90-6.2, it is necessary to address the Agency's simultaneous denial of both WFNJ/GA and EA in this decision.

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

AUG 28 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director