



*State of New Jersey*

**DEPARTMENT OF HUMAN SERVICES**

Division of Family Development  
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TRENTON, NEW JERSEY 08625

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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 10493-14 C.P.

AGENCY DKT. NO. C048590 (BERGEN COUNTY BD. OF SOC. SVCS.)

Petitioner appeals the Respondent Agency's denial Emergency Assistance ("EA"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 21, 2014, the Honorable James A. Geraghty, Administrative Law Judge ("ALJ"), held a plenary hearing and took testimony. On August 22, 2014, the ALJ issued an Initial Decision which affirmed the Agency determination.

Neither party submitted exceptions.

As Director of the Division of Family Development, Department of Human Services, I independently reviewed the record and hereby ADOPT the Initial Decision and AFFIRM the Agency determination.

Petitioner receives Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") and Medicaid and Supplemental Nutrition Assistance Program ("SNAP"), f/k/a the Food Stamp Program, benefits.

Petitioner exhausted her 12-month lifetime EA limit and two 6-month extreme hardship extensions available to her under N.J.A.C. 10:90-6.4. Additionally, Petitioner received another 6 months of EA because she was a victim of domestic violence. The Agency denied EA under both the Housing Hardship Extension ("HHE") and Housing Assistance Program ("HAP") pilots.

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The HHE pilot authorizes up to 12 months of EA to WFNJ/TANF recipients who have exhausted their 12-month lifetime EA limit and applicable extreme hardship extensions and who are employable and compliant with WFNJ work activities. N.J.A.C. 10:90-6.9. The Agency appropriately denied EA under the HHE pilot because Petitioner was in sanction status and not seeking a job. N.J.A.C. 10:90-6.9(b)(3) and (c)(1).

The HAP pilot authorizes an extension of EA for up to 24 months for qualified WFNJ recipients who are permanently disabled and Supplemental Security Income ("SSI") recipients who are in danger of imminent homelessness. N.J.A.C. 10:90-6.10. Petitioner has not been determined to be permanently disabled and is not an SSI recipient. In addition, Petitioner does not have a pending application for, or an appeal from the denial of, SSI benefits, and does not have a WFNJ/Med-1 form substantiating at least 12 months of disability. N.J.A.C. 10:90-6.10(a)(1).

By way of comment, there is presently no medical documentation that one of Petitioner's sons suffers a potentially serious mental health condition. As did the ALJ, I note that changes in Petitioner's circumstances, including but not limited to, determination she is the sole caretaker of a severely disabled or seriously ill dependent child, may affect her eligibility for an extension of EA under the HAP. N.J.A.C. 10:90-6.10(a)(1)(ii).

A copy of the Initial and Final Decisions shall be forwarded to the Division of Child Protection and Permanency to ensure the health, safety, and welfare of Petitioner's children.

For the foregoing reasons, I ADOPT the Initial Decision and AFFIRM the Agency determination.

*Signed Copy on File*  
at DFD, BARA

AUG 29 2014

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Jeanette Page-Hawkins  
Director