



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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NATASHA JOHNSON
Director

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 16150-18 C.R.

AGENCY DKT. NO. C275867007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits and the denial of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's WFNJ/TANF benefits contending that there was no longer an eligible child in the household, and denied Petitioner EA benefits because she was no longer a WFNJ/TANF benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 9, 2018, the Honorable Julio C. Morejon, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On November 13, 2018, the ALJ issue an Initial Decision, reversing the Agency's determination.

Here, the record reflects that the Agency terminated Petitioner's WFNJ/TANF benefits because her 18 year old daughter would not complete high school before she turned 19. See Initial Decision 2; see also Exhibit R-1, and N.J.A.C. 10:90-2.7(a)(1). Consequently, Petitioner was denied EA benefits because she was no longer a WFNJ/TANF benefits recipient. See Initial Decision at 2; see also Exhibit P-3, and N.J.A.C. 10:90-6.2(a). The record also reflects that Petitioner's daughter was unable to complete high school by her 19th birthday due to a medical condition which caused her to miss a substantial amount of school time, but that it is anticipated that she will complete high school in June 2019, one month after she turns 19. See Initial Decision at 3; see also Exhibits P-2, P-4. Based on that completion date, and taking into consideration Petitioner's daughter's circumstances, the ALJ found that, in accordance with the plain language of the applicable regulatory authority, which allows for continued WFNJ/TANF benefits eligibility for dependent children up to the age of 19 if they are "reasonably expected to complete [high school] before reaching age 19," Petitioner continues to have an eligible child in her household and therefore, is eligible for WFNJ/TANF benefits. See Initial Decision at 3-4; see also N.J.A.C. 10:90-2.7(a)(1). Accordingly, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/TANF benefits was improper and must be reversed. See Initial Decision at 4-5; see also Exhibit R-1. I agree. Further, as the Agency's termination of Petitioner's WFNJ/TANF benefits was found to be improper, the ALJ also found Petitioner eligible for EA benefits, and reversed the Agency's denial of EA benefits. See Initial Decision at 4-5; see also Exhibit P-3, and N.J.A.C. 10:90-6.2(a). I also agree.

No Exceptions to the Initial Decision were received.

As the Director of the Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.



By way of comment, while the transmittal in this matter indicates that Petitioner appealed a termination of SNAP benefits, the record indicates that Petitioner's SNAP benefits were never interrupted or terminated. See Initial Decision at 2. To the contrary, said SNAP benefits increased due to the decrease in Petitioner's household income when her WFNJ/TANF benefits terminated. See Exhibit R-1. In light of the foregoing, I find that Petitioner's SNAP appeal is now moot and is therefore not addressed in the decision.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is REVERSED.

Officially approved final version.

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Natasha Johnson
Director

