



State of New Jersey

PHILIP D. MURPHY  
Governor

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
PO BOX 716

CAROLE JOHNSON  
Commissioner

SHEILA Y. OLIVER  
Lt. Governor

TRENTON, NJ 08625-0716

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 13334-18 S.S.

AGENCY DKT. NO. S916822009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits contending that he had exhausted his lifetime limit of EA benefits, and had failed to provide a MED-1 form, in violation of his EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 4, 2018, the Honorable Caridad F. Rigo, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On October 10, 2018 the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that on October 11, 2017, Petitioner executed an SP, wherein he agreed, among other things, to cooperate with WFNJ/ GA program requirements. See Initial Decision at 2; see also Exhibit R-4. On May 7, 2018, the Agency requested that Petitioner provide an updated MED-1 form, and proof of his application for Supplemental Security Income ("SSI") benefits, no later than May 25, 2018. See Initial Decision at 2; see also Exhibit R-2. The ALJ found that Petitioner had failed to provide either of the requested documents, without good cause, in violation of his SP. See Initial Decision at 2, 3. The ALJ further found that Petitioner has received 12 months of EA benefits, and as such, has exhausted his lifetime limit of EA benefits. *Id.* at 2. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits was proper and must stand. *Id.* at 3; see also Exhibit R-1, and N.J.A.C. 10:90-6.4(a), -6.6(a). I 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.

Additionally, because I concur with the ALJ's conclusion that Petitioner failed to comply with his SP, I hereby impose upon him a six-month period of ineligibility for EA benefits. See Initial Decision at 3; see also N.J.A.C. 10:90-6.6(a). Petitioner's six-month EA ineligibility penalty shall begin July 2, 2018, the effective date of the Agency's termination of EA benefits, and run through January 1, 2019. See Exhibit R-1 at 2.

By way of comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with his current needs, including Social Services for the Homeless.

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



Officially approved final version.

OCT 24 2018

---

Natasha Johnson  
Director

