



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 15648-18 J.P.

AGENCY DKT. NO. C110926008 (GLOUCESTER COUNTY DIV. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of an extension of Emergency Assistance ("EA") benefits. The Agency denied an extension of Petitioner's EA benefits, contending that she had exhausted her 12-month lifetime limit of EA benefits, and did not qualify for an extreme hardship extension of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. Beginning on November 30, 2018, and continuing on January 18, 2019, the Honorable John S. Kennedy, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record remained open until January 25, 2019, to allow the submission of Petitioner's MED-1 form and the record then closed.

On February 6, 2019, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, Petitioner had received 12 months of EA benefits, between November 2017, and October 2018. See Initial Decision at 3; see also Exhibit R-1 at 2. By notice dated October 19, 2018, the Agency denied Petitioner's request for a hardship extension of EA benefits, finding that she did not meet the criteria for an extension of EA benefits, and consequently, Petitioner's EA benefits were terminated, effective October 31, 2019. See Initial Decision at 2; see also Exhibit R-1 at 2. However, the ALJ found that although the Agency did not have a record of receiving Petitioner's MED-1 form, Petitioner had applied for Supplemental Security Income ("SSI") benefits on October 29, 2018. See Initial Decision at 3; see also Exhibits P-1, P-2. Further, the MED-1 form, received by the Agency on January 18, 2019, indicates that Petitioner would have barriers to employment that would last longer than 12 months, and was dated October 15, 2018, prior to the denial of the extension of EA benefits by the Agency. See Initial Decision at 3; see also Exhibit P-2. Based on the foregoing, the ALJ found that Petitioner did qualify for an extreme hardship extension of EA benefits, based on the October 15, 2018, MED-1 form, and Petitioner's pending application for SSI benefits. See Initial Decision at 3-4; see also N.J.A.C. 10:90-6.4(b)(2). Therefore, the ALJ concluded that the Agency's denial of an extension of Petitioner's EA benefits was improper, and must be reversed. See Initial Decision at 4; see also Exhibit R-1 at 2. 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.

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



Officially approved final version.

Natasha Johnson
Director

MAR 13 2019

