



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 02865-19 D.L.

AGENCY DKT. NO. C022173017 (SALEM COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency terminated Petitioner's WFNJ/TANF benefits, contending that she had exhausted her 60-month lifetime limit of WFNJ/TANF benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 1, 2019, the Honorable Catherine A. Tuohy, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was held open to allow Petitioner's doctor to submit a completed MED-1 form. The record closed on April 11, 2019, with no additional medical documentation having been submitted.

On April 17, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner had received 72 months of WFNJ/TANF benefits, and as such, she has exhausted her lifetime limit of WFNJ/TANF benefits. See Initial Decision at 2; see also Exhibit R-4, and N.J.A.C. 10:90-1.1(d), -2.3(a). In order to be eligible for an exemption from the WFNJ/TANF benefits time limit, Petitioner was required to provide the Agency with a MED-1 form indicating a 12-month disability. See Initial Decision at 2; see also N.J.A.C. 10:90-2.4(a)(3). The ALJ found that the MED-1 forms provided by Petitioner were invalid for purposes of an exemption from the WFNJ/TANF benefits time limit. See Initial Decision at 3-4; see also Exhibits R-1 at 9-11, R-2, R-3. Specifically, Petitioner's March 6, 2019, MED-1 form indicated that she was "temporarily incapacitated" and not permanently disabled; her March 27, 2019, MED-1 form was incomplete because it did not contain any information regarding Petitioner's ability to participate in a work activity; and her March 28, 2019, MED-1 form indicated that she was "temporarily incapacitated" and was expected to be able to return to work on May 28, 2019. See Initial Decision at 2; see also Exhibits R-1 at 9-11, R-2, R-3. Petitioner did not dispute that she had received 72 months of WFNJ/TANF benefits, but claimed that she was never advised that she specifically needed a 12-month MED-1 form in order to qualify for such exemption. See Initial Decision at 3. Based on the record presented, the ALJ concluded that Petitioner has exhausted her lifetime limit of WFNJ/TANF benefits and does not qualify for an exemption from the WFNJ/TANF benefits, and therefore, the Agency's termination of Petitioner's WFNJ/TANF benefits was proper and must stand. See Initial Decision at 3-5; see also Exhibit R-1 at 1-4, and N.J.A.C. 10:90-1.1(d), -2.3(a), -2.4(a)(3). 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 AFFIRMED.



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Officially approved final version.

JUN - 3 2019

Natasha Johnson

Director

