



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 17350-18 S.D.

AGENCY DKT. NO. S914946009 (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 because he had exhausted his 12-month lifetime limit of said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 2, 2019, the Honorable Irene Jones, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On January 25, 2019, the ALJ issued an Initial Decision, reversing the Agency's determination.

No Exceptions to the Initial Decision were received.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's Initial Decision, and REVERSE the Agency's determination, as discussed below.

Here, the record indicates that Petitioner has exhausted his 12-month lifetime limit of EA benefits. See Initial Decision at 2; see also N.J.A.C. 10:90-6.4(a). However, because Petitioner has a 12-month MED-1 form, and a Supplemental Security Income benefits application pending, the ALJ found that Petitioner is eligible for a six-month extreme hardship extension of EA benefits. See Initial Decision at 2-3; see also Exhibits P-1 through P-5, and N.J.A.C. 10:90-6.4(b)(2). Accordingly, the ALJ concluded that the Agency's termination of Petitioner's EA benefits was improper and must be reversed, and further concluded that Petitioner is eligible for a six-month extension of EA benefits. See Initial Decision at 3; see also Exhibit R-1. While I agree that Petitioner is eligible for an extreme hardship extension of EA benefits, I find that he is eligible for up to six months of EA benefits, provided he remains eligible for same. See Initial Decision at 3; see also N.J.A.C. 10:90-6.1 et seq. The Initial Decision is modified to reflect this finding.

Accordingly, the Initial Decision is hereby MODIFIED, and the Agency's action is REVERSED, as outlined above.



Officially approved final version.

MAR 01 2019

Natasha Johnson
Director

