



State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT

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NATASHA JOHNSON
Assistant Commissioner

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 **02351-20 D.N.**

AGENCY DKT. NO. **S928002009 (HUDSON COUNTY DEPT OF FAM SVCS)**

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. The Agency terminated Petitioner's EA benefits, and imposed a six-month EA ineligibility penalty, contending that he failed to comply with his EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 24, 2020, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On February 24, 2020, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that on November 1, 2019, Petitioner executed an SP wherein he agreed, among other things, to participate in the Substance Abuse Initiative/Behavioral Health Initiative ("SAI/BHI") program. See Initial Decision at 2; see also Exhibit R-2 at 7-10. The ALJ also found that Petitioner had acknowledged in that SP, that failure to comply with its terms would result in a termination of his EA benefits and the imposition of a six-month EA ineligibility penalty. See Initial Decision at 3; see also Exhibit R-2 at 7-10. The record reflects, and Petitioner admitted, that he had failed to comply with his SP by failing to attend scheduled SAI/BHI sessions. See Initial Decision at 3; see also Exhibit R-2 at 11-15. Based on the foregoing, the ALJ found that Petitioner had failed to comply with his SP, and as such, concluded that the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month period of ineligibility for EA benefits, were proper and must stand. See Initial Decision at 3-4; see also Exhibit R-2 at 4, and N.J.A.C. 10:90-6.6(a). I agree.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, 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, Petitioner is advised that his six-month EA ineligibility penalty shall run from December 11, 2019, through June 10, 2020. See Initial Decision at 3; see also Exhibit R-2 at 4. Petitioner is also advised that the Agency has offered to provide him with a security deposit and one month's rent should he secure affordable housing prior to June 11, 2020. See Initial Decision at 3.



By way of further 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.

Natasha Johnson
Assistant Commissioner

FEB 26 2020

