



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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TRENTON, NJ 08625-0716

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 02530-21 G.E.

AGENCY DKT. NO. C059101017 (SALEM COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner WFNJ/GA benefits, contending that he had been convicted for possession and distribution of a controlled dangerous substance ("CDS"), which precludes Petitioner from eligibility for said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 5, 2021, the Honorable Catherine A. Tuohy, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On April 12, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects, and Petitioner admitted, that in 2003, he plead guilty and was incarcerated for possession and distribution of a CDS. See Initial Decision at 2; see also Exhibit R-1 at 11, 15. Based on the foregoing, the ALJ found that regulatory authority prohibits the Agency from granting WFNJ/GA benefits to Petitioner. See Initial Decision at 3; see also N.J.A.C. 10:90-18.6(b)(1)(ii)(3). Accordingly, the ALJ concluded that Petitioner was ineligible for WFNJ/GA benefits, and that the Agency had properly denied Petitioner said benefits. Ibid.; see also Exhibit R-1 at 1. 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.

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

Officially approved final version.

MAY 25 2021

Natasha Johnson
Assistant Commissioner

