



State of New Jersey

PHILIP D. MURPHY  
Governor

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
PO BOX 716

SARAH ADELMAN  
Acting Commissioner

SHEILA Y. OLIVER  
Lt. Governor

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 00982-21 I.K.

AGENCY DKT. NO. C051308001 (ATLANTIC CO. DEPT OF FAM. & COM. DEV)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA"), and Emergency Assistance ("EA"), benefits. The Agency terminated Petitioner's WFNJ/GA benefits because his total monthly income put him over the maximum allowable benefit level for continued receipt of WFNJ/GA benefits, and terminated Petitioner's EA benefits because he was no longer a WFNJ cash benefits recipient, nor a Supplemental Security Income ("SSI") benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for March 19, 2021, but was adjourned at the request of Petitioner. The matter was rescheduled and on April 30, 2021, the Honorable Catherine A. Tuohy, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On May 5, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

In order to be eligible for WFNJ/GA benefits, the total countable income of the unemployable single adult, or couple without dependent children, must be equal to or less than the maximum benefit payment level for the size of the assistance unit as set out in Schedule V at N.J.A.C. 10:90-3.6(a). See N.J.A.C. 10:90-3.1(b)(1). Effective July 1, 2019, the benefit level for an unemployable WFNJ/GA assistance unit that consists of one individual is \$277 per month. See N.J.A.C. 10:90-3.6(a); see also DFD Informational Transmittal ("IT") No. 19-12.

Only WFNJ cash assistance recipients and SSI recipients are eligible for EA benefits. See N.J.A.C. 10:90-6.2(a).

Here, the record reflects that in October, 2020, the Agency learned that Petitioner was receiving Retirement, Survivors and Disability Insurance ("RSDI") benefits in the monthly amount of \$927. See

