



State of New Jersey

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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 **03029-21 J.T.**

AGENCY DKT. NO. **C042377017 (SALEM COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's reduction of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency reduced Petitioner's WFNJ/TANF benefits due to her receipt of Retirement, Survivors, and Disability Insurance ("RSDI") benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 26, 2021, the Honorable Tama B. Hughes, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On April 30, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects on March 11, 2021, the Agency discovered that Petitioner had been receiving RSDI income in the monthly amount of \$386, since May 2008, and as such, it was determined that Petitioner was ineligible for WFNJ/TANF benefits, and therefore, no longer a part of her household's WFNJ benefits assistance unit. See Initial Decision at 2, 4; see also Exhibit R-1 at 5, and N.J.A.C. 10:90-3.1(a). Further, the Agency attributed Petitioner's RSDI income to the household, consisting of the remaining eligible assistance unit of five, and accordingly, reduced the assistance unit's WFNJ/TANF benefits from \$728 per month to \$342 per month. See Initial Decision at 2-4; see also Exhibit R-1 at 6, 7-9, and N.J.A.C. 10:90-3.9(a), (b), (e). The ALJ found that the Agency had properly excluded Petitioner from the WFNJ/TANF benefits assistance unit, had appropriately included Petitioner's RSDI benefits as household income, and had accurately reduced Petitioner's WFNJ/TANF benefits amount. See Initial Decision at 4-5. Based on the foregoing, the ALJ concluded that the Agency's reduction of Petitioner's WFNJ/TANF benefits from \$728 per month to \$342 per month, was proper and must stand. *Id.* at 5; see also Exhibit R-1 at 1-4. 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.

JUN 15 2021

Natasha Johnson
Assistant Commissioner

