



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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Acting Commissioner

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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 02076-21 N.M.

AGENCY DKT. NO. S600118012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits, contending that she was not a Work First New Jersey ("WFNJ") or Supplemental Security Income ("SSI") benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 16, 2021, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was held open until April 29, 2021, to allow Petitioner the opportunity to provide additional information. On May 6, 2021, the Agency was asked to provide additional information, which was provided that same day, and the record then closed.

On May 24, 2021, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the ALJ found, and the record substantiates, that Petitioner's son was, and continues to be, a recipient of SSI benefits as of March 2021, regardless of whether or not he had received an SSI benefits payment in March of 2021, and as such, Petitioner is eligible for EA benefits. See Initial Decision at 2-7; see also Exhibits P-1, R-10, R-13, R-17, and N.J.A.C. 10:90-6.1(e), -6.2(a), and Division of Family Development Instruction ("DFDI") No. 08-5-4 at 13. Moreover, the record reflects that Petitioner's son had been provided his March 2021, SSI benefits payment in February 2021, resulting in a double payment in February. See Initial Decision at 2; see also Exhibits P-1, R-9, R-12. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, on the basis that she was not a WFNJ or SSI benefits recipient, was improper and must be reversed. See Initial Decision at 6-7; see also Exhibit R-11. I agree.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, DFD, 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 REVERSED.



Officially approved final version.

JUN 29 2021

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Natasha Johnson  
Assistant Commissioner

