



State of New Jersey

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Governor

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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 09540-20 S.Z.

AGENCY DKT. NO. C633393007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of an exemption from the WFNJ/GA benefits time limit, and the consequent termination of his WFNJ/GA benefits for the months of November and December 2019, and January and February 2020. Petitioner is seeking retroactive WFNJ/GA benefits for those months. The Agency denied Petitioner an exemption from the lifetime limit of WFNJ/GA benefits, contending that he had failed to provide required documentation, and consequently terminated Petitioner's WFNJ/GA benefits, because he had exhausted his lifetime limit of WFNJ/GA benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 8, 2021, the Honorable Thomas R. Betancourt, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On March 9, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner had received 67 months of WFNJ/GA benefits, and as such, he had exhausted his lifetime limit of WFNJ/GA benefits, and was therefore, ineligible for said benefits. See Initial Decision at 2; see also Exhibit R-1 at 15-19, and N.J.A.C. 10:90-2.3(a). Petitioner applied for an exemption from the WFNJ/GA benefits lifetime limit, but failed to provide the Agency with a valid 12-month MED-1 form, an eligibility requirement for such exemption, for the period within which he is seeking retroactive WFNJ/GA benefits, November 2019 through February 2020. See Initial Decision at 2-3; see also Exhibits R-1 at 4-6, 8-13, R-3, and N.J.A.C. 10:90-2.4(a)(3)(i). Accordingly, by notice dated February 11, 2020, effective September 1, 2020, Petitioner was denied an exemption of the WFNJ/GA benefits time limit, and consequently said benefits were terminated. See Exhibit R-2. The ALJ found that in order for Petitioner to be eligible for WFNJ/GA benefits for the time period of November 2019, through February 2020, he was required to provide the Agency with an adequate MED-1 form, but failed to do so, until March 9, 2020. See Initial Decision at 4; see also Exhibit R-1 at 22, R-3, and N.J.A.C. 10:90-1.6(a), -2.2(a)(5), and -2.4(a)(3)(i). The ALJ also found that, upon receipt of a valid MED-1 form from Petitioner on March 9, 2020, the Agency reinstated Petitioner's WFNJ/GA benefits, effective March 1, 2020. See Initial Decision at 4; see also Exhibit R-1 at 22. Based on the foregoing, the ALJ concluded that Petitioner was ineligible for WFNJ/GA benefits for the months of November and December 2019, and January and February 2020, and affirmed the Agency's determination. See Initial Decision at 3-4; see also Exhibit R-2. 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. APR 22 2021

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Natasha Johnson  
Assistant Commissioner

