



## State of New Jersey

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*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

AMENDED DECISION

OAL DKT. NO. HPW **01713-23 A.J.**

AGENCY DKT. NO. **C061800021 (WARREN CO. DIV TEMP ASST & SOC. SVCS)**

A Final Agency Decision ("FAD") was issued in this matter on March 9, 2023. This Amended FAD is being issued for clarification and to alleviate ambiguity.

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits contending that he had exhausted his lifetime limit of EA benefits, plus all available extreme hardship extensions, and did not qualify for an extension of EA benefits pursuant to the recently promulgated State of New Jersey Senate Bill, No. S866, P.L. 2018, c. 164, effective December 20, 2018 ("S866"), also known as Emergency Assistance for Specific Groups ("EASG"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 2, 2023, the Honorable Jude-Anthony Tiscornia, Administrative Law Judge ("ALJ"), held a plenary hearing and took testimony. No documents were admitted into evidence. On March 2, 2023, the ALJ issued an Initial Decision, reversing the Agency's determination.

Exceptions to the Initial Decision were filed by the Agency on March 2, 2023.

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 WITH CONTINGENCIES** the ALJ's Initial Decision, and **REVERSE** the Agency's determination, based on the discussion below.

State of New Jersey Senate Bill, No. S866, P.L. 2018, c. 164, effective December 20, 2018 ("S866"), also known as EASG, extends EA benefits eligibility for certain categories of individuals, including, but not limited to Work First New Jersey ("WFNJ") recipients who are permanently disabled, as documented by a twelve (12) month MED-1 Form, and Supplemental Security Income ("SSI") benefits recipients. See DFD Instruction ("DFDI") No. 19-02-01.

Here, the record reflects that Petitioner has received 12 months of EA benefits, plus one six-month extreme hardship extension, and as such Petitioner has exhausted his lifetime limit of EA benefits. See Initial Decision at 2; see also N.J.A.C. 10:90-6.4(a), (b), (c). Based on the testimony presented, I agree with the ALJ's conclusion that Petitioner is eligible for EA benefits, except for the fact that he does



not have a current 12-month MED-1 form, required for an extension of EA benefits in accordance with EASG. See Initial Decision at 2-3; see also S866, and DFDI No. 19-02-01. Therefore, I find Petitioner eligible for EA benefits contingent upon him providing the Agency with a current 12-month MED-1 form by March 31, 2023. See Initial Decision at 2; see also S866, and DFDI No. 19-02-01. Further, Petitioner is advised that if he fails to provide the Agency with the required 12-month MED-1 form within the aforementioned time frame, the Agency's termination of his EA benefits shall be affirmed. See N.J.A.C. 10:90-6.4(a), (b), (c).

By way of comment, the Agency is directed to provide Petitioner with EA benefits through March 31, 2023, and to assist Petitioner in his efforts to obtain a current 12-month MED-1 form. See Initial Decision at 2-3.

By way of further comment, I have reviewed the Agency's Exceptions, and find that the arguments made therein do not alter my decision in this matter.

Accordingly, the Initial Decision is hereby **ADOPTED WITH CONTINGENCIES** and the Agency determination is **REVERSED**, contingent upon Petitioner's submission of the requisite 12-month MED-1 form, as discussed above.

Officially approved final version.      March 17, 2023

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Natasha Johnson  
Assistant Commissioner

