



## State of New Jersey

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*Governor*

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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

FINAL DECISION

OAL DKT. NO. HPW **06860-23 A.W.**

AGENCY DKT. NO. **S634202012 (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 Petitioner was no longer eligible for EA benefits as he was no longer receiving Supplemental Security Income ("SSI") benefits and was not a Work First New Jersey benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 3, 2023, the Honorable Sarah G. Crowley, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On August 4, 2023, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the record shows that Petitioner is disabled and has been an SSI benefits recipient since May, 2000. See Exhibit R-4 at 1. Recently, Petitioner's sister, who was Petitioner's caretaker, and who received Petitioner's SSI benefits on Petitioner's behalf, passed away. See Initial Decision at 2. When the Agency learned that Petitioner was no longer receiving SSI benefits, the Agency terminated Petitioner's EA benefits. Ibid. Testimony provided by Petitioner's brother stated that any issues pertaining to further receipt of Petitioner's SSI benefits are trying to be resolved with Social Security. Ibid. Further, an application for Work First New Jersey/General Assistance ("WFNJ/GA") benefits has been submitted on Petitioner's behalf. Ibid. The ALJ in this matter found that, as a result of the recent death of Petitioner's caregiver, issues with respect to a new payee for Petitioner's SSI benefits resulted. Id. at 3. Further, the ALJ found that no further inquiry had been made by the Agency, nor had any efforts been made to assist Petitioner after only a month of non-receipt of SSI benefits. Ibid. Based on the foregoing, the ALJ found the Agency's termination of Petitioner's EA benefits to be improper and must be reversed. Ibid. I agree. Additionally, I take official notice of the fact that the payment status code of S08, for current payment status, as reflected on page three of the SOLQ report, stands for "Suspended. Representative payee development pending." See N.J.A.C. 1:1-15.2(a) and N.J.R.E. 201(b)(4); see also Exhibit R-4 at 3 and SOLQ Report Field Reference Guide. Thus, it seems certain that once a new representative payee is designated, Petitioner's SSI benefits will resume. The Agency should expedite Petitioner's application for WFNJ/GA benefits in the interim.



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 REVERSED.

Officially approved final version. August 10, 2023

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Natasha Johnson  
Assistant Commissioner

