



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

SARAH ADELMAN
Commissioner

SHEILA Y. OLIVER
Lt. Governor

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 **09830-22 B.J.**

AGENCY DKT. NO. **S526770012 (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 had exhausted her lifetime limit of EA benefits, plus all available extensions. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 13, 2022, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. The record was held open to the close of business that day to allow Petitioner the opportunity to submit documentation. No documents were received and the record then closed that same day.

On December 16, 2022, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record substantiates that Petitioner had exhausted her lifetime limit of EA benefits, plus the two allowable six-month extreme hardship extensions, and as such, she had applied 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"), which extends EA benefits eligibility for certain categories of individuals, including, but not limited to WFNJ recipients who are permanently disabled, as documented by a 12-month MED-1 form. See Initial Decision at 2-3; see also Exhibits R-4, R-5, R-6, R-7, and N.J.A.C. 10:90-6.4(a), (b). However, the Agency denied Petitioner an extension of EA benefits under EASG because she had not provided a MED-1 form indicating a 12-month disability, and consequently, terminated her EA benefits due to exhaustion. See Initial Decision at 1-2; see also Exhibit R-9, and S866, and Division of Family Development ("DFD") Instruction 19-02-01. Petitioner claimed that she had the required medical documentation proving that she was disabled and unable to work, and would provide same to the court. See Initial Decision at 2-3. The record was held open until the close of business on the day of the hearing to allow Petitioner the opportunity to provide the required MED-1 form, as promised, but she failed to do so. *Ibid.* Based on the foregoing, the ALJ concluded that Petitioner has exhausted her lifetime limit of EA benefits, plus all extreme hardship extensions, and that she does not qualify for any further extension of EA benefits under EASG. *Id.* at 4-5; see also S866. Accordingly, the ALJ concluded that the Agency's termination of Petitioner's EA benefits was proper and must stand. See Initial Decision at 5; see also Exhibit R-9. 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.

By way of comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with her current needs, including Social Services for the Homeless.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is AFFIRMED.

Officially approved final version. January 26, 2023

Natasha Johnson
Assistant Commissioner

