



State of New Jersey

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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 **06830-23 C.N.**

AGENCY DKT. NO. **C040417012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner's application for WFNJ/GA benefits, contending that she had exhausted her lifetime limit of WFNJ benefits and had failed to provide a valid MED-1 necessary to obtain an exception from the lifetime limit. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 18, 2023, the Honorable Michael R. Stanzione, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On October 10, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination.

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 hereby ADOPT the Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

"Eligibility for cash assistance benefits shall be limited to a lifetime total of 60 cumulative months for an adult individual." See N.J.A.C. 10:90-2.3(a). "At the end of an individual adult recipient's 60 cumulative months of receipt of cash assistance, the assistance unit shall no longer be eligible to receive [WFNJ] assistance." N.J.A.C. 10:90-2.3(a)(1). However, an individual may receive additional months of cash assistance if he/she qualifies for an exemption to, or extension of, the time limit, as set forth at N.J.A.C. 10:90-2.4 and -2.5 respectively. In relevant part, a recipient is exempt from the 60-month cumulative lifetime WFNJ limit if a "physical or mental impairment, defect or injury prevents him or her from engaging in full-time employment for a period of 12 or more months ... on a minimum of one WFNJ/MED-1, Examination Report." N.J.A.C. 10:90-2.4(a)(3)(i).

Here, the ALJ found, and the record substantiates, that Petitioner had exhausted her 60-months of WFNJ benefits after receiving 96 months of WFNJ benefits, and had failed to provide the Agency with a 12-month MED-1 form necessary to exempt her from the lifetime limit. See Initial Decision at 1-2, 3-4;



see also Exhibit R-4 at 18, 19, R-5 at 20. In fact, on August 22, 2023, the Agency received an updated MED-1 form stating Petitioner is not limited in participating in gainful employment or occupational training. See Exhibit R-7 at 22. Based on the foregoing, the ALJ concluded that the Agency's denial of WFNJ/GA benefits to Petitioner was proper and must stand. See Initial Decision at 4-5. I agree.

By way of comment, the transmittal in this matter also indicates an additional contested issue pertaining to a termination of SNAP benefits. That issue was not addressed by the ALJ in his Initial Decision. As such, if Petitioner still has an issue with respect to a termination of SNAP benefits, Petitioner is advised that she is without prejudice to request another fair hearing on that issue alone.

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

Officially approved final version. October 31, 2023

Natasha Johnson
Assistant Commissioner

