



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 **07710-22 D.A.**

AGENCY DKT. NO. **C132998013 (MONMOUTH COUNTY DIV. OF SOC. SVCS)**

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA"), and Emergency Assistance ("EA"), benefits. Upon a redetermination, the Agency denied Petitioner WFNJ/GA benefits, contending that his monthly employment income exceeded the WFNJ/GA benefits initial financial eligibility limits, and terminated Petitioner's EA benefits because he was no longer a WFNJ cash benefits recipient, nor a Supplemental Security Income ("SSI") benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for October 21, 2022, but was adjourned to December 16, 2022, during the prehearing conference. On December 16, 2022, the Honorable Mary Ann Bogan, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. Thereafter, additional information was received, and the record was reopened. Following a telephone conference was conducted on January 3, 2023, the record then closed.

On January 17, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found, and the record substantiates, that, upon a redetermination application for continued WFNJ/GA benefits, Petitioner reported that he was employed and it had been determined by the Agency that he had an adjusted monthly income of \$1,953.46, taking into consideration his child support wage garnishment. See Initial Decision at 3; see also Exhibit R-1 at 1, 4-8. In accordance with applicable regulatory authority, Petitioner's monthly income of \$1953.46, exceeded the maximum allowable income level of \$278 for receipt of WFNJ/GA benefits. See Initial Decision at 3-4; see also N.J.A.C. 10:90-3.4(a), -3.5(a), and Division of Family Development Informational Transmittal ("DFD IT") No. 19-21. 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; see also Exhibit R-1 at 9-10. I agree.

The ALJ further found that, because Petitioner is no longer a WFNJ, nor a SSI benefits recipient, he is ineligible for EA benefits, and as such, concluded that Agency's termination of Petitioner's EA benefits was also proper and must be affirmed. See Initial Decision at 4; see also N.J.A.C. 10:90-6.2(a) and Exhibit R-1 at 24-26. I also 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 his 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.

March 9, 2023

Natasha Johnson

Assistant Commissioner

