



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

SARAH ADELMAN
Commissioner

TAHESHA L. WAY
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 13677-23 E.D.

AGENCY DKT. NO. **S410477010 (HUNTERDON COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. The Agency terminated Petitioner's EA benefits, and imposed a six-month EA ineligibility penalty, contending that he failed to comply with his EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 14, 2023, the Honorable Deidre Hartman-Zohlman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On December 15, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that Petitioner had executed an SP, wherein he agreed, among other things, to attend mandatory Substance Abuse Initiative/Behavioral Health Initiative ("SAI/BHI") program appointments, to conduct eight weekly housing searches and provide proof of same, and to apply for Supplemental Security Income ("SSI") and/or Retirement, Survivors and Disability Insurance ("RSDI"), benefits. See Initial Decision at 2, 6; see also Exhibits R-1, R-2, R-3 at 1, 2, 4, and N.J.A.C. 10:90-6.6(a). The ALJ also found, and the record reflects, that Petitioner had failed to comply with his SP, with no good cause credibly shown, by refusing to attend SAI/BHI program appointments, by failing to provide proof of housing searches, and by failing to provide proof that he had applied for SSI and/or RSDI benefits. See Initial Decision at 2-5; see also Exhibit R-3 at 3. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month period of ineligibility for EA benefits were proper and must stand. See Initial Decision at 6; see also Exhibit R-4, and N.J.A.C. 10:90-6.6(a). I agree.

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.



By way of comment, Petitioner is advised that his six-month EA ineligibility penalty shall run from November 30, 2023, the effective date of the termination, through May 30, 2024. See Exhibit R-4.

By way of further 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, as outlined above.

Officially approved final version. December 28, 2023

Natasha Johnson
Assistant Commissioner

