



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
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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 **01446-23 J.G.**

AGENCY DKT. NO. **C164054003 (BURLINGTON COUNTY BD. OF SOC. SVCS)**

Petitioner appeals from the Respondent Agency's denial of an extension of Emergency Assistance ("EA") benefits, and its consequent termination of her EA benefits. The Agency denied Petitioner an extension of EA benefits, and terminated Petitioner's EA benefits, contending that she had exhausted her lifetime limit of EA benefits, plus all available extensions, and did not qualify for a further extension of EA benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for March 27, 2023, but was adjourned. On April 5, 2023, the Honorable Susan L. Olgiati, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record remained open to allow the parties the opportunity to submit additional documents. The record then closed on April 18, 2023.

On May 8, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ in this matter issued a very thorough and comprehensive Initial Decision, outlining the procedural history, providing a detailed factual timeline, and rendering a well thought out analysis, applying law to fact. See Initial Decision at 2-10. Specifically, the ALJ found, and the record substantiates, that as of April 2023, Petitioner had received 40 months of EA benefits, which included two six-month extreme hardship extensions, and as such, she had exhausted her lifetime limit of EA benefits, plus all available extensions. See Initial Decision at 2-4, 9; see also Exhibits F "Time Chart and EA Notes", Exhibit I, and N.J.A.C. 10:90-6.4(a), (b), (c). The ALJ also found that Petitioner did not meet the criteria for an extension of EA benefits under the Emergency Assistance for Special Groups ("EASG") pilot program. See Initial Decision at 7-9; see also Exhibit B "EASG Application dated November 16, 2029," and the State of New Jersey Senate Bill, No. S866, P.L. 2018, c. 164, effective December 20, 2018 ("S866"), now codified at N.J.S.A. 44:10-51(a)(3), also known as EASG (extending EA benefits eligibility for certain categories of individuals, including, but not limited to WFNJ recipients who are permanently disabled, as documented by a twelve-month MED-1 Form, and Supplemental Security Income benefits recipients), and Division of Family Development Instruction ("DFDI") No. 19-02-01. Moreover, Petitioner acknowledged that she is currently employed and does not meet the criteria for an EASG extension of EA benefits. See Initial Decision at 3, 9. Based on the foregoing, the ALJ concluded that the Agency's denial of an extension of EA benefits, and its termination of Petitioner's EA benefits, were proper and



must stand. See Initial Decision at 10; see also Exhibit C "Termination of Placement dated November 29, 2023." 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. June 22, 2023

Natasha Johnson
Assistant Commissioner

