



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 **10158-22 K.B.**

AGENCY DKT. NO. **C091536018 (SOMERSET COUNTY BOARD 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 said benefits, plus all applicable extreme hardship extensions. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. Several scheduled hearing dates were adjourned to allow the parties the opportunity to resolve the matter. Finally, on February 3, 2023, the Honorable Elia A. Pelios, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On February 22, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found, and the record substantiates, that Petitioner has received 24 months of EA benefits, and as such, she has exhausted her lifetime limit of EA benefits, plus all applicable EA extreme hardship extensions. See Initial Decision at 2-3; see also Exhibit R-1 at Exhibit 3, and N.J.A.C. 10:90-6.4(a), (b). Accordingly, the ALJ concluded that the Agency's termination of Petitioner's EA benefits was proper and must stand. See Initial Decision at 3-4; see also Exhibit R-1 at Exhibit 1. I agree. Of note, the record also indicates that Petitioner is a Retirement Survivors and Disability Insurance ("RSDI") benefits recipient, and as such, she would no longer be eligible for Work First New Jersey/General Assistance benefits, and therefore, she would not be eligible for an extension of EA benefits in accordance with N.J.S.A. 44:10-51(a)(3), also known as Emergency Assistance for Special Groups ("EASG") (which extends EA benefits eligibility for certain categories of individuals). See Initial Decision at 2; see also Exhibit R-1 at Exhibit 4, and N.J.S.A. 44:10-51(a)(3), and Division of Family Development Instruction ("DFDI") No. 19-02-01.

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 record also reflects that Petitioner's boyfriend, R.O., is a member of Petitioner's assistance unit, and has also exhausted his lifetime limit of EA benefits, plus all applicable extreme



hardship extensions. See Initial Decision at 2-3; see also Exhibit R-1 at Exhibit 3, and N.J.A.C. 10:90-6.4(a), (b). However, the record also reflects that R.O. is receiving Supplemental Security Income (“SSI”) benefits, and therefore he may be eligible for an extension of EA benefits in accordance with EASG, and is advised to apply for such extension. See Initial Decision at 2; see also “Social Security Administration” notice, dated October 14, 2022, and N.J.S.A. 44:10-51(a)(3), and DFDI 19-02-01.

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

Officially approved final version. May 03, 2023

Natasha Johnson
Assistant Commissioner

