



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

SARAH ADELMAN
Commissioner

SHEILA Y. OLIVER
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 **10156-22 M.G.**

AGENCY DKT. NO. **C042161006 (CUMBERLAND COUNTY BD OF SOC SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency terminated Petitioner's WFNJ/TANF benefits, contending that she had exhausted her 60-month cumulative lifetime limit of WFNJ cash benefits, and did not qualify for an extension of, or exemption from, said lifetime limit. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 21, 2022, the Honorable William T. Cooper, III, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record closed on January 4, 2023.

On January 20, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found, the record substantiates, and Petitioner did not dispute, that Petitioner has received a total of 74 months of WFNJ benefits, 24 months of which were provided under the Supportive Assistance to Individuals and Families ("SAIF") program, and as such, has exhausted her lifetime limit of WFNJ benefits. See Initial Decision at 2, 4-8; see also Exhibit R-1 at 1, 14-20, 27, and N.J.A.C. 10:90-2.3(a), -2.20. In order to be granted continued WFNJ benefits, Petitioner must qualify for an extension of, or exemption from, the WFNJ benefits lifetime limit. See Initial Decision at 7-8; see also N.J.A.C. 10:90-2.4, -2.5, and -2.6. The ALJ found that the WFNJ-5S ("MED-5") form that Petitioner had provided to the Agency in order to be approved for an exemption from the WFNJ time limit, did not establish that her child had a disability that required Petitioner's full-time care for a continuous period of 12 months or more, and on that basis, found that Petitioner did not qualify for an extension of WFNJ benefits. See Initial Decision at 3-4, 6-8; see also Exhibit R-2, and N.J.A.C. 10:90-2.4(a)(2)(i). Of note, the record reflects that Petitioner had not provided the MED-5 form prior to her WFNJ/TANF benefits termination, and that there was no prior record provided to the Agency that her child had suffered from a permanent disability. See Initial Decision at 5. Further, the ALJ found that the Agency had followed all proper protocol in its termination of Petitioner's WFNJ/TANF benefits, and that Petitioner had failed to participate in that termination process which would have allowed her to provide more information and clarity regarding her alleged circumstances. *Id.* at 5-8; see also Exhibit R-1 at 13-27. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/TANF benefits was proper and must stand. See Initial Decision at 8; see also Exhibit R-1 at 2-5, and N.J.A.C. 10:90-2.3(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.

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

Officially approved final version. March 21, 2023

Natasha Johnson
Assistant Commissioner

