



## State of New Jersey

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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 **00086-23 M.R.**

AGENCY DKT. NO. **C068954003 (BURLINGTON COUNTY BD. 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. The Agency denied Petitioner WFNJ/GA benefits, contending that she failed to comply with the required WFNJ 28-day protocol, without good cause, and denied Petitioner EA benefits because she was not a WFNJ, nor a Supplemental Security Income ("SSI"), benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 22, 2023, the Honorable Susan L. Olgiati, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On March 15, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, Petitioner was required to participate in the mandatory WFNJ 28-day work activity in order to be eligible for WFNJ/GA benefits, or if she was medically unable to participate in such work activity, she was to provide the Agency with a MED-1 form indicating her disability. See Initial Decision at 2-3; see also Exhibit B, and N.J.A.C. 10:90-2.2(a)(2), -4.1(a)(1), -4.10(a)(2). The ALJ found that Petitioner had failed to comply with the mandatory work activity, and had failed to timely provide the Agency with a MED-1 form excusing her from such activity. See Initial Decision at 3-4. The record reflects that after the Agency had already denied Petitioner WFNJ/GA and EA benefits for failure to comply with the 28-day work activity, she had provided the Agency with the required MED-1 form. See Initial Decision at 3; see also Exhibits H, I, and N.J.A.C. 10:90-2.2(a)(2), -6.2(a). Based on the foregoing, the ALJ concluded that the Agency's denial of WFNJ/GA and EA benefits to Petitioner was proper and must stand. See Initial Decision at 4-5; see also Exhibits H, I. 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, the record reflects that Petitioner has reapplied for WFNJ/GA benefits and has provided the Agency with the required MED-1 form, indicating a disability which exempts her from the



WFNJ work activity requirement, and as such, the Agency is directed to reevaluate Petitioner for WFNJ/ GA and EA benefits eligibility on an expedited basis. See Initial Decision at 3, and 5 fn1.

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

Officially approved final version. May 3, 2023

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Natasha Johnson  
Assistant Commissioner

