



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 **09390-22 N.B.**

AGENCY DKT. NO. **C130411020 (UNION COUNTY DIVISION 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 EA benefits, plus all applicable extensions. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 21, 2022, the Honorable Ernest M. Bongiovanni, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On January 11, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here the ALJ found, and Petitioner acknowledged, that Petitioner had received 81 months of EA benefits, and as such, she had exhausted her lifetime limit of EA benefits, plus all applicable extensions. See Initial Decision at 2; see also Exhibit R-3, and N.J.A.C. 10:90-6.4(a), (b), (d). Petitioner claimed that if she did not receive additional EA benefits, her family would be homeless. See Initial Decision at 3. However, the ALJ found that homelessness is a likely result whenever EA benefits are terminated, and Petitioner's claim does not constitute a basis for any further extension of EA benefits. *Ibid.*; see also Exhibit R-1. Based on the foregoing, 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-4. I agree. Of note, it appears from the record that Petitioner does not qualify for an extension of EA benefits under the State of New Jersey Senate Bill, No. S866, P.L. 2018, c. 164, effective December 20, 2018 ("S866"), also known as Emergency Assistance for Specific Groups ("EASG") (extending EA benefits eligibility for specific categories of individuals). See Initial Decision at 2; see also Exhibit R-3, and Division of Family Development ("DFD") Instruction 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 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. February 28, 2023

Natasha Johnson
Assistant Commissioner

