



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 **08892-23 S.S.**

AGENCY DKT. NO. **C044037012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA") and Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. The Agency terminated Petitioner's WFNJ/GA benefits, contending that she failed to cooperate with the WFNJ/GA redetermination protocol, and terminated Petitioner's EA benefits, and imposed a six-month EA ineligibility penalty, contending that she violated the terms of her EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 13, 2023, the Honorable Catherine A. Tuohy, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On September 14, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that Petitioner had failed to complete the required WFNJ/GA redetermination protocol when she failed to attend her scheduled interview appointments. See Initial Decision at 2-3; see also Exhibit R-1 at 1-6, and N.J.A.C. 10:90-3.22. The record reflects that Petitioner had failed to provide any good cause reason for such failure. See Initial Decision at 4. Accordingly, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/GA benefits was proper and must stand. *Id.* at 4-5; see also Exhibit R-1 at 7-9, and N.J.A.C. 10:90-3.22. I agree.

Additionally, the record reflects that Petitioner executed an SP wherein she agreed, among other things, to comply with WFNJ/GA program requirements, to provide the Agency with weekly housing searches and monthly subsidized housing searches for July 2023, to provide compliance letters from her mental health providers, and to continue to participate in the mandatory Substance Abuse Initiative/Behavioral Health Initiative ("SAI/BHI") program. See Initial Decision at 3-5; see also Exhibit R-2 at #5, and N.J.A.C. 10:90-6.6(a). However, the ALJ found that Petitioner had failed to comply with the aforementioned SP requirements, without good cause. See Initial Decision at 4-6; see also Exhibit R-1 at #6, #8, #9, #10. Accordingly, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month EA ineligibility penalty, were proper and must stand. See Initial Decision at 6; see also Exhibit R-2 at #11, #12, and N.J.A.C. 10:90-6.6(a). I also agree. Moreover, I find that Petitioner is also ineligible for EA benefits as she is no longer a WFNJ benefits recipient. See N.J.A.C.



10:90-6.2(a)(limiting eligibility for EA benefits to WFNJ and Supplemental Security Income benefits recipients).

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, Petitioner's six-month EA ineligibility penalty shall run from August 27, 2023, the effective date of the Agency's termination, through February 27, 2024. See Exhibit R-2 at 11.

By way of further 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. September 20, 2023

Natasha Johnson
Assistant Commissioner

