



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 **04414-23 T.W.**

AGENCY DKT. NO. **C096472003 (BURLINGTON COUNTY BD. OF SOC. SVCS)**

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits and the denial of an extreme hardship extension of EA benefits. The Agency terminated Petitioner's EA benefits, contending that she had exhausted her life time limit of EA benefits, and denied her an extreme hardship extension, contending that she did not qualify for such extension. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 26, 2023, the Honorable Mary Ann Bogan, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On May 30, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that Petitioner had received a seven-year disregard of certain EA benefits, and thereafter, to date, she has received 25 months of EA benefits which includes two six-month extreme hardship extensions of said benefits. See Initial Decision at 2; see also N.J.S.A. 44:10-51(a)(4) (also known as [EA] 7-Year Disregard which provides, in part, that "all months of emergency assistance received more than 84 months from the date of application for emergency assistance shall not be counted toward the cumulative 12-month limit of emergency assistance"), and Division of Family Development Instruction ("DFDI") 19-07-01. The ALJ also found that Petitioner did not qualify for an additional extreme hardship extension of EA benefits. See Initial Decision at 3-4; see also Exhibit R-1 at Exhibit A, and N.J.A.C. 10:90-6.4(b), (d). The record also reflects that Petitioner had failed to provide the Agency with any documentation indicating that she would be eligible for an extension of EA benefits under the Emergency Assistance for Specific Groups ("EASG") pilot program. See Initial Decision at 3-4; see also N.J.S.A. 44:10-51(a)(3) (also known as EASG, which extends EA benefits eligibility for certain categories of individuals, including, but not limited to "WFNJ recipients who are parents or relatives that must provide full-time care for a disable child or disabled dependent," as evidenced by a MED-5 form), and DFDI No. 19-02-01. Based on the record provided, the ALJ concluded that the Agency had proven that Petitioner had exhausted her lifetime limit of EA benefits and did not qualify for an extreme hardship extension of said benefits, and that Petitioner had failed to prove that she qualified for an extreme hardship extension of EA benefits. See Initial Decision at 4; see also N.J.A.C. 10:90-6.4(a), (b), (d). Accordingly, the ALJ further concluded that the Agency's termination of Petitioner's EA benefits, and denial of an extreme



hardship extension, were proper and must stand. See Initial Decision at 4; see also Exhibit R-1 at Exhibit C. I agree.

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, as Petitioner has two minor children in her household, one being a Supplemental Security Income ("SSI") benefits recipient, she is a good candidate for the ICM/State Rental Assistance Program ("SRAP"), hereby direct the Agency to refer Petitioner to the ICM program, on an expedited basis. See DFDI 17-01-01.

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

Officially approved final version. July 13, 2023

Natasha Johnson
Assistant Commissioner

