



## State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
PO BOX 716

SARAH ADELMAN  
*Commissioner*

TAHESHA L. WAY  
*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 14344-23 A.H.

AGENCY DKT. NO. C147939001 (ATLANTIC CO. DEPT OF FAM. & COM. DEV)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner's application for EA benefits, because she was no longer a Work First New Jersey ("WFNJ") cash benefits recipient, due to her receipt of monthly Retirement, Survivors and Disability Insurance ("RSDI") benefits, nor was she a Supplemental Security Income ("SSI") benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 2, 2024, the Honorable Kimberly M. Wilson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record remained open for the submission of supplemental information, and then closed that same day. On January 3, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination.

Exceptions to the Initial Decision were received from Petitioner on January 8, 2024.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

Only WFNJ cash assistance recipients and SSI recipients are eligible for EA benefits. See N.J.A.C. 10:90-6.2(a).

A review of the record in this matter reflects that Petitioner applied for EA benefits on December 14, 2023. See Initial Decision at 2; see also Exhibit R-1 at 5-11. On the submitted application, Petitioner indicates her only source of income as WFNJ/General Assistance ("WFNJ/GA") benefits. See Exhibit R-1 at 6. However, during a face-to-face meeting with an Agency representative, Petitioner was questioned as to any other sources of income, to which Petitioner offered to show the Agency representative a Social Security benefits verification letter, which she then provided to the Agency. See Initial Decision at 4, 6; see also Exhibit R-2. That letter reflected that Petitioner had been receiving monthly RSDI benefits from June 2023, to November 2023, with an increase in said monthly benefits to occur in December 2023, which would be paid to Petitioner in the month following. *Ibid.* Doing due diligence as required, to determine if Petitioner was receiving, or had received, Social Security benefits, which could render Petitioner eligible, or ineligible, for EA benefits, on December 18, 2023, the Agency



representative requested an SOLQ lookup. See Initial Decision at 4, 6; see also Exhibit R-3. The SOLQ report confirms what had been stated in the letter from the Social Security Administration (“SSA”) which had been provided by Petitioner, specifically, that Petitioner was receiving RSDI benefits in June 2023 through November 2023, and in fact, has been since even earlier than those dates. See Exhibit R-3. The SOLQ report also clearly indicates that Petitioner’s Social Security benefits are, in fact, RSDI benefits, contrary to the assertions of the ALJ in this case, as the report states “SSA/Title II Information,” and RSDI benefits are funded through Title II, whereas SSI benefits are funded through Title XVI. Ibid.; see also Initial Decision at 4, 6. Petitioner did not disclose her receipt of RSDI benefits on her EA application, despite certifying that the information provided was accurate, and indeed, did not reveal her receipt of any Social Security benefits until the Agency representative, during the EA application process, specifically inquired as to other sources of income Petitioner might have. See Exhibit R-1 at 6; see also Initial Decision at 4, 7. Based on the information shown in the SOLQ report, on December 18, 2023, the Agency denied Petitioner EA benefits, due to her receipt of RSDI benefits. See Exhibit R-1 at 1-2; see also N.J.A.C. 10:90-6.2(a). Additionally, the record indicates that Petitioner’s WFNJ/GA benefits were terminated effective December 31, 2023. See Exhibit R-1 at 13; see also Initial Decision at 2, 7. The ALJ in this matter concluded that, as Petitioner’s WFNJ/GA benefits had been terminated, and she is not an SSI benefits recipient, the Agency’s denial of EA benefits to Petitioner was proper and must stand. Id. at 7-8; see also N.J.A.C. 10:90-6.2(a). Based upon an independent review of the record, I agree.

By way of comment, while Petitioner maintained, at the hearing, that she was not appealing the Agency’s termination of WFNJ/GA benefits, it should be noted that as Petitioner’s monthly RSDI income exceeded the maximum allowable monthly benefit level of \$185 for continued WFNJ/GA benefits eligibility for an employable AU of one, I find that the Agency also correctly terminated Petitioner’s WFNJ/GA benefits effective December 31, 2023. See Initial Decision at 2, 7; see also N.J.A.C. 10:90-3.5(b) and DFD IT 19-21.

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.

Also, by way of comment, I have reviewed Petitioner’s exceptions and I find that the arguments made therein do not alter my decision in this matter.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency’s action is AFFIRMED, as outlined above.

Officially approved final version. January 16, 2024

---

Natasha Johnson  
Assistant Commissioner

