



## 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 **12013-24 D.T.**

AGENCY DKT. NO. **C201885004 (CAMDEN-CCBSS)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that she failed to provide required documentation to the Agency needed to determine her EA benefits eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. An emergent telephonic hearing was initially scheduled for September 6, 2024, but Petitioner failed to appear. Thereafter, Petitioner timely contacted the OAL, and the hearing was rescheduled for September 16, 2024. On that date, counsel for Petitioner appeared at the hearing, but requested a brief adjournment as he had just been retained by Petitioner, and it was agreed that the matter would proceed on September 24, 2024, as a regular non-emergent matter. On that date, the Honorable Tricia M. Caliguire, Administrative Law Judge, ("ALJ") held a telephonic plenary hearing, took testimony, and admitted documents.

On October 7, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination. The ALJ in this matter issued a very thorough and comprehensive Initial Decision, providing a detailed and well thought out analysis, applying law to fact. See Initial Decision at 2-5. Here, the ALJ found that Petitioner had failed to provide sufficient documentation to the Agency necessary for it to assess her eligibility and need for EA benefits, without good cause. *Id.* at 3-4; see also Exhibits P-1 at Ex. A through Ex. H, and R-1, R-2, R-3, R-5, and N.J.A.C. 10:90-1.6(a), (b). Specifically, the ALJ found that Petitioner had failed to provide the Agency with the requested savings account statements for the months of June and July 2024, required to confirm that her income had been spent appropriately on expenses of daily living. See Initial Decision at 3-5; see also Exhibits P-1 at Ex. C, Ex. D, Ex. E, R-1, R-3, R-5. Based on the foregoing, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 4-5; see also Exhibit R-4, and N.J.A.C. 10:90-2.2(a)(5), (d), -6.1(c)(1)(ii). I agree.

Exceptions to the Initial Decision were received from by Legal Services, on behalf of Petitioner, on October 21, 2024.

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 may reapply for EA benefits, and is advised that her eligibility for EA benefits is contingent upon her providing all required, sufficient documentation to the Agency. See N.J.A.C. 10:90-1.6(a), -2.2(a)(5), (d). The Agency is instructed to assist Petitioner with acquiring such documentation, as appropriate.

By way of further comment, Petitioner raises facts in her Exceptions which were not presented to the ALJ at the September 24, 2024, plenary hearing, which is not permitted. See N.J.A.C. 1:1-18.4(c) ("Evidence not presented



at the hearing shall not be submitted as part of an exception, nor shall it be incorporated or referred to within exceptions.”). Moreover, the record reflects that, at the time of the hearing, neither party noted the error on the adverse action notice wherein the Agency cited to the incorrect regulatory authority governing this matter, nor did Petitioner object to the sufficiency of the notice. See Initial Decision at 2 fn1; see also Exhibit R-4. Be that as it may, 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 determination is AFFIRMED.

Officially approved final version.     October 24, 2024

---

Natasha Johnson  
Assistant Commissioner

