



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 **06650-24 S.F.**

AGENCY DKT. NO. **C059620008 (GLOUCESTER COUNTY DIV. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits, and the imposition of a six-month period of ineligibility for EA benefits. The Agency terminated Petitioner's EA benefits, and imposed a six-month EA ineligibility penalty, contending that she failed to comply with her EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 22, 2024, the Honorable Dean J. Buono, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On May 23, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that Petitioner had executed an SP, wherein she agreed, among other things, to attend all mandatory Substance Abuse Initiative/Behavioral Health Initiative ("SAI/BHI") program appointments. See Initial Decision at 4; see also Exhibit R-1 at 14-27, and N.J.A.C. 10:90-6.6(a). The ALJ also found that, despite the Agency's continued attempts to assist Petitioner with addressing her mental health issues, Petitioner had failed to comply with her SP, with no good cause credibly shown, by refusing to attend SAI/BHI program appointments. See Initial Decision at 2-4; see also Exhibit R-1 at 4, 5, 8-9. Of note, although Petitioner's SAI/BHI assessment, as well as other mental health agency assessments, indicated that Petitioner suffers from severe mental health issues, Petitioner continues to deny that she suffers from any such mental health issues. See Initial Decision at 2-3; see also Exhibit R-1 at 4, 5, 7. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month period of ineligibility for EA benefits were proper and must stand. See Initial Decision at 4-5; see also Exhibit R-1 at 10-13, and N.J.A.C. 10:90-6.6(a). I agree.

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 is advised that her six-month EA ineligibility penalty shall run from May 9, 2024, the effective date of the termination, through November 9, 2024. See Exhibit R-1 at 10-11.

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, as outlined above.



Officially approved final version. May 30, 2024

Natasha Johnson
Assistant Commissioner

