



State of New Jersey

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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 15633-17 D.P.

AGENCY DKT. NO. C495468007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA"), and Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency denied Petitioner's WFNJ/GA benefits contending that Petitioner failed to comply with the Substance Abuse Initiative/Behavioral Health Initiative ("SAI/BHI") and the WFNJ work activity requirement. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 5, 2017, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On December 6, 2017, the ALJ issued an Initial Decision, affirming the Agency's determination.

Exceptions to the Initial Decision were filed by Petitioner on January 8, 2018.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the Initial Decision, and AFFIRM the Agency's determination.

Following loss of cash assistance due to noncompliance with work activities, in order to be eligible for WFNJ cash assistance benefits the individual must re-apply for WFNJ benefits, satisfactorily complete sanction obligations, and comply with work activities. See N.J.A.C. 10:90-2.2(e).

Here, it appears from the record that Petitioner's WFNJ/GA case was sanctioned and ultimately closed in July 2017, because she failed to participate in a required part-time work activity in accordance with her SAI/BHI assessment. See Initial Decision at 2-3; see also Exhibit R-1 at 10-12. Thereafter, on August 29, 2017, Petitioner reapplied for WFNJ/GA benefits, with eligibility contingent upon her coming into compliance with the SAI/BHI and her required part-time work activity. See Exhibit R-1 at 19; see also N.J.A.C. 10:90-2.2(e), -4.1(a), -18.1. The ALJ found that pursuant to Petitioner's previous SAI/BHI assessment, she was able to participate in a part-time work activity, and was required to schedule an appointment with a psychiatrist to prescribe her medication. See Initial Decision at 2-3; see also Exhibit R-1 at 9, 10 and 12. However, the ALJ found that Petitioner failed to comply with said requirements, without good cause. See Initial Decision at 3; see also Exhibit R-1 at 2, 9-11, and N.J.A.C. 10:90-4.10(a)(2). Based on the foregoing, I concur with the ALJ's conclusion that the Agency's denial of WFNJ/GA benefits to Petitioner was proper and must stand. See Initial Decision at 3; see also Exhibit R-1 at 2, and N.J.A.C. 10:90-2.2(e), -4.1(a).

By way of comment, the transmittal in this matter indicates a contested issue regarding a denial of SNAP benefits. However, at the time of the hearing, the ALJ found that Petitioner is no longer contesting a denial of SNAP benefits, as she is presently receiving SNAP benefits. See Initial Decision at 2. Therefore, as that issue is now moot, it is not addressed in this Final Agency Decision.



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By way of further 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.

Officially approved final version.

JAN 23 2018

Natasha Johnson

Director

