



State of New Jersey

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*Governor*

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DIVISION OF FAMILY DEVELOPMENT  
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TRENTON, NJ 08625-0716

NATASHA JOHNSON  
*Director*

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 06695-18 E.H.

AGENCY DKT. NO. C091640003 (BURLINGTON COUNTY BD. OF SOC. SVCS)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits contending that she has exhausted her cumulative lifetime limit of EA benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 11, 2018, the Honorable Tricia M. Caliguire, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record was held open to allow Petitioner the opportunity to submit documents related to her application for Supplemental Security Income ("SSI") benefits. No documents were submitted and the record then closed on June 18, 2018.

On June 20, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that as of June 2018, Petitioner has received 47 months of EA benefits. See Initial Decision at 2, 4; see also Exhibits R-2, R-3, and R-5. As such, Petitioner has exhausted her cumulative lifetime limit of EA benefits, plus all applicable extensions. See Initial Decision at 4; see also N.J.A.C. 10:90-6.4(a), (b), (d). Petitioner claims that she is disabled, and that she has applied for SSI benefits for herself and her daughter, however, Petitioner failed to provide proof to substantiate her claim, and therefore, the ALJ found that she is not eligible for an extension of EA benefits pursuant to the recently promulgated Provisional Housing-Awaiting Supplemental Security Income/Social Security/Disability Insurance Eligibility ("PHASE") Pilot Program. See Initial Decision at 4; see also N.J.A.C. 10:90-6.9. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits was proper and must stand. See Initial Decision at 5; see also Exhibit R-1, and N.J.A.C. 10:90-6.4(a), (b), (d). I agree.

No Exceptions to the Initial Decision were received.

As the Director of the 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 pursuant to PHASE, with eligibility contingent upon her providing the Agency with the required documentation, and otherwise meeting the eligibility criteria for PHASE. See N.J.A.C. 10:90-6.9.



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

Officially approved final version. JUL 10 2018

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Natasha Johnson  
Director

