



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 05698-17 L.Y.

AGENCY DKT. NO. C077646016 (PASSAIC COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency terminated Petitioner's WFNJ/GA benefits contending that she had exhausted her lifetime limit of said benefits, that her MED-1 form was invalid, and that she did not, therefore, qualify for an exemption from the WFNJ/GA time limit. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for May 22, 2017, but was adjourned. The case was rescheduled for August 21, 2017, but again adjourned. The matter was then rescheduled for September 11, 2017, but was adjourned. The next rescheduled date of October 30, 2017, was again not heard. Finally, on November 30, 2017, the Honorable Jude-Anthony Tiscornia, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On December 1, 2017, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the record reflects that Petitioner has received 100 months of WFNJ/GA benefits, and as such, Petitioner has exhausted her lifetime limit of said benefits. See Initial Decision at 2. The ALJ found that Petitioner had submitted to the Agency valid 12-month MED-1 forms, completed by her attending physicians, on January 24, April 6, and May 12, 2017, and that the Agency failed to provide any testimony or evidence at the hearing as to why it had rejected Petitioner's MED-1 forms. *Ibid.*; see also Exhibits R-1, R-3, and R-4. Also, the record reflects that Petitioner has a Supplemental Security Income claim pending. See Initial Decision at 2. Based on the foregoing, the ALJ concluded that Petitioner is exempt from the lifetime limit of WFNJ/GA benefits, and that the Agency's termination of Petitioner's WFNJ/GA benefits was improper. See Initial Decision at 3-5; see also Exhibit R-2 and N.J.A.C. 10:90-2.4(a)(3). 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.



Accordingly, the Initial Decision in this matter is hereby ADOPTED and the Agency's determination is REVERSED.

Officially approved final version.

Natasha Johnson
Director

JAN 22 2018

