



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 11115-18 S.B.

AGENCY DKT. NO. C044473015 (OCEAN COUNTY BOARD 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 had exhausted her lifetime limit of EA benefits, plus two extreme hardship extensions, and did not qualify for an extension of EA benefits under the recently promulgated Provisional Housing-Awaiting Supplemental Security Income/ Social Security/Disability Insurance Eligibility ("PHASE") Pilot Program. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 19, 2018, the Honorable Edward J. Delanoy, Jr., Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On October 31, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner has received 42 months of EA benefits, and as such, she has exhausted her lifetime limit of EA benefits, plus all available extreme hardship extensions. See Initial Decision at 4; see also Exhibits R-2, R-4, and N.J.A.C. 10:90-6.4(a), (b), (d). The record also reflects that Petitioner does not qualify for an extension of EA benefits under PHASE. See Initial Decision at 2, 4; see also N.J.A.C. 10:90-6.9. Specifically, as a condition for receipt of EA benefits under PHASE, applicants/recipients are required, among other things, to have a Supplemental Security Income ("SSI") claim, or appeal, pending, and a valid 12-month MED-1 form indicating that the applicant/recipient is disabled and unable to engage in gainful employment. See N.J.A.C. 10:90-6.9(a)(1)(i), (iv). The ALJ found that, Petitioner has exhausted more than her lifetime limit of EA benefits, plus two extreme hardship extensions, she does not have a valid MED-1 form indicating a 12-month disability, and she does not have an SSI application pending approval or appeal. See Initial Decision at 2, 4; see also Exhibits R-2, R-4, and N.J.A.C. 10:90-6.4 (a), (b), (d), -6.9(a)(1)(i), (iv). Based on the foregoing, the ALJ concluded that Petitioner does not qualify for any further extensions of EA benefits and that the Agency's termination of Petitioner's EA benefits was proper and must stand. See Initial Decision at 4; see also Exhibit R-1. 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, 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.

Officially approved final version.

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Natasha Johnson

Director

