



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 14953-18 S.M.

AGENCY DKT. NO. C169830011 (MERCER COUNTY BOARD OF SOC. SVCS..)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that he had exhausted his lifetime limit of EA benefits, plus all available extensions. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 23, 2018, the Honorable Elaine B. Frick, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On October 24, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, after a thorough review of Petitioner's EA benefits check history, the ALJ found that Petitioner, a Supplemental Security Income ("SSI") benefits recipient, had received 36 months of EA benefits from 2013, through 2016, while residing in another county. See Initial Decision at 2, 7-8; see also Exhibits R-2, R-5 at 3-5, and N.J.A.C. 10:90-6.4(a), (b), (c). Petitioner contended that he had not received the EA benefits stated on the Agency's check history; that said EA benefits had been a grant and as such, should not be counted as EA benefits; that he was entitled to said benefits because he is a veteran; and that he is now entitled to EA benefits due to his medical condition. See Initial Decision at 3-5; see also Exhibits P-2, P-3. However, the ALJ found that Petitioner had indeed exceeded his lifetime limit of EA benefits while residing in another county, that his contentions of errors on the Agency's check history were not supported by any evidence provided by him, and that there is no regulatory authority that exempts him from the EA benefits lifetime limit because he is a veteran. See Initial Decision at 5, 7-8; see also Exhibits R-2, R-5 at 3-5. Further, there is no regulatory authority that exempts Petitioner from the lifetime limit of EA benefits due to his medical condition. Ibid. Based on the foregoing, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 8; see also Exhibit R-1, and N.J.A.C. 10:90-6.4(a), (b), (c). 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 his 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.

Natasha Johnson
Director

