



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 16697-17 Y.G.

AGENCY DKT. NO. C645404007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of an exemption from the lifetime limit of Work First New Jersey/ General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner an exemption from the WFNJ benefits lifetime limit contending that her MED-1 form had been rejected. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 6, 2017, the Honorable Jude-Anthony Tiscornia, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On December 7, 2017, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the ALJ found that the Agency failed to provide any testimony or evidence at the hearing to substantiate its rejection of Petitioner's MED-1 form, which resulted in its determination to deny Petitioner an exemption from the lifetime limit of WFNJ benefits. See Initial Decision at 2, 4. Therefore, the ALJ concluded that the Agency's denial of an exemption from the WFNJ benefits lifetime limit to Petitioner was improper and must be reversed. Id. at 3-5; see also Exhibit R-2, and N.J.A.C. 10:90-2.4(a) (3). I agree.

Exceptions to the Initial Decision were filed by the Agency on December 20, and 26, 2017.

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, I have reviewed the Agency'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 determination is REVERSED.

Officially approved final version.

Natasha Johnson
Director



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