



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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NATASHA JOHNSON
Assistant Commissioner

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 **09928-21 C.S.**

AGENCY DKT. NO. **C024760021 (WARREN CO. DIV TEMP ASST & SOC. SVCS)**

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency denied Petitioner WFNJ/TANF benefits, contending that she failed to provide documentation required to determine WFNJ/TANF benefits eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 4, 2022, the Honorable Gail M. Cookson, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On January 5, 2022, the ALJ issued an Initial Decision, reversing the Agency's determination. Here, the record reflects that Petitioner applied for WFNJ/TANF benefits on October 5, 2021, and on October 7, 2021, by telephonic interview with the Agency and by written notice, Petitioner was advised that the signed application, along with supporting documentation, were required to be provided to the Agency within 30-days from the date of said application. See Initial Decision at 2; see also Exhibit R-1 at 10-32. The record indicates that Petitioner submitted the signed application and documentation to the Agency drop box on October 19, 2021. See Initial Decision at 2. On November 4, 2021, the Agency denied Petitioner WFNJ/TANF benefits, contending that specific pieces of information provided were incomplete, specifically, that Petitioner had provided an incomplete CashApp printout and that her children's vaccination records lacked a residential address. *Ibid.*; see also Exhibit R-1 at 3-7, and N.J.A.C. 10:90-2.2(a)(5). Thereafter, on November 17, 2021, Petitioner reapplied for WFNJ/TANF benefits, at which time she had resubmitted the prior incomplete/insufficient documentation, which now addressed the prior deficiencies, and as such, the Agency approved Petitioner for WFNJ/TANF benefits, effective November 17, 2021, the date of her second application. See Initial Decision at 3. However, Petitioner is here seeking WFNJ/TANF benefits retroactive to the date of her initial October 5, 2021, application, which the Agency has refused to award. *Ibid.*

The ALJ found, and the Agency did not dispute, that it had failed to reach out to Petitioner between the times that she had dropped off the requested documentation, October 19, 2021, and the Agency's November 4, 2021, denial of WFNJ/TANF benefits to Petitioner. *Id.* at 2. Specifically, the ALJ found that, in accordance with regulatory authority, the Agency was required to reach out to Petitioner within that initial 30-day application processing period in October to address any insufficiencies and to make



recommendations on what actions were needed to correct such insufficiencies, yet it had failed to do so. Id. at 3; see also N.J.A.C. 10:90-1.5(a). Further, based on Petitioner's resubmission of the complete/sufficient subject documents at the time of her November reapplication, the ALJ found that, had the Agency contacted Petitioner previously to advise her of the insufficient documents at issue, Petitioner would have been able to timely provide such documents within the October 5, 2021, 30-day application processing period. See Initial Decision at 3. Accordingly, the ALJ concluded that the Agency's denial of WFNJ/TANF benefits to Petitioner between the dates of October 5, 2021, and November 17, 2021, was improper and must be reversed, and as such, ordered the Agency to provide Petitioner with WFNJ/TANF benefits retroactive to October 5, 2021, the date of her initial application. Ibid.; see also Exhibit R-1 at 3-7. I agree.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, 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 is hereby ADOPTED, and the Agency's determination is REVERSED.

Officially approved final version.

January 27, 2022

Natasha Johnson
Assistant Commissioner

