



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 **08159-22 D.B.**

AGENCY DKT. NO. **S631324012 (MIDDLESEX COUNTY BD. 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 he has 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 September 22, 2022, the Honorable David M. Fritch, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

Also on September 22, 2022, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that Petitioner, a Work First New Jersey/General Assistance ("WFNJ/GA") benefits recipient, had received 21 months of EA benefits, which included one six-month extreme hardship extension, plus additional EA benefits provided during the Division of Family Development ("DFD") COVID-19 moratorium policy on EA benefits terminations due to exhaustion. See Initial Decision at 2, 4; see also Exhibits R-11, R-12, R-17, R-18, and DFD Instruction ("DFDI") 21-02-03. Petitioner did not contest that he had received 21 months of EA benefits. Accordingly, the ALJ found that Petitioner had exhausted his 12-month lifetime limit of EA benefits, plus all available extensions. See Initial Decision at 3-4; see also N.J.A.C. 10:90-6.4(a), (b)(1). Of note, the aforementioned temporary suspension on terminations of EA benefits due to exhaustion was rescinded on June 15, 2022. See Initial Decision at 4; see also DFDI 22-06-02. The ALJ also found it factually undisputed that Petitioner did not qualify for any further extension of EA benefits under the Emergency Assistance for Specific Groups ("EASG") pilot. See Initial Decision at 4; see also Exhibit R-16, and State of New Jersey Senate Bill, No. S866, P.L. 2018, c. 164, effective December 20, 2018, also known EASG (extending EA benefits eligibility for specific categories of individuals). Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits was proper and must stand. See Initial Decision at 4-5; see also Exhibit R-20. 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.

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.

September 29, 2022

Natasha Johnson

Assistant Commissioner

