



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 **06322-22 D.B.**

AGENCY DKT. NO. **C425057016 (PASSAIC COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency terminated Petitioner's WFNJ/GA benefits, contending that he had begun receiving Supplemental Security Income ("SSI") benefits and therefore, was no longer eligible for WFNJ/GA benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 18, 2022, the Honorable William J. Courtney, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On August 30, 2022, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I hereby MODIFY the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

Here, the ALJ found, and the record substantiates, that Petitioner had been approved to begin receiving SSI benefits in the monthly amount of \$560.67, as of April 1, 2022. See Initial Decision at 2-3; see also Exhibit R-1 at 8. In accordance with applicable regulatory authority, SSI benefits recipients are not eligible for WFNJ/GA benefits. See N.J.A.C. 10:90-2.8(a)(2). Accordingly, the ALJ concluded that Petitioner was ineligible for WFNJ/GA benefits. See Initial Decision at 3-4; see also N.J.A.C. 10:90-2.8(a)(2). Petitioner claimed that his WFNJ/GA benefits should not be terminated because said benefits income was used by the Social Security Administration as part of its income calculation for determining his SSI benefit amount, and allegedly as a result of this, his SSI benefits had been reduced. See Initial Decision at 2-3. However, the ALJ found that Petitioner had failed to provide any documentation to substantiate that claim. See Initial Decision at 3 fn1. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/GA benefits was proper and must stand. *Id.* at 3-4.

While I agree with the ALJ's ultimate conclusion in this matter, the record does, in fact, reflect that some source of unearned income is the reason for the reduction of Petitioner's monthly SSI benefits



amount. Specifically, the State of New Jersey SOLQ Response Screen, seen on page 8 of the Agency's exhibits, reflect an unearned income source in the amount \$300.33, with a net countable amount of \$280.33. See Exhibit R-1 at 8. However, this clearly is not the WFNJ/GA monthly benefit amount of \$277. See N.J.A.C. 10:90-3.6(a); see also DFD Informational Transmittal ("IT") No. 19-12. If Petitioner has questions pertaining to what this unearned income amount is and its source, and/or how his monthly SSI benefits amount was calculated, Petitioner should reference the award letter sent to him from the Social Security Administration ("SSA"), or contact SSA directly for further clarification. The Initial Decision is modified to reflect these findings.

Accordingly, the Initial Decision is hereby MODIFIED, and the Agency's determination is AFFIRMED, as outlined above.

Officially approved final version.

October 6, 2022

Natasha Johnson
Assistant Commissioner

