



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 **09042-22 J.C.**

AGENCY DKT. NO. **C045178019 (SUSSEX COUNTY DIVISION 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 was not eligible for WFNJ/GA benefits while under the custody of correctional authorities. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 15, 2022, the Honorable John P. Scollo, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On November 17, 2022, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found that, pursuant to relevant regulatory authority, Petitioner was considered to be "under the custody of correctional authorities," and as such, was ineligible for WFNJ/GA benefits. See Initial Decision at 2-3; see also Exhibit R-1 at 4-7, and N.J.A.C. 10:90-2.8(a)(5). The ALJ also found that the work requirement Petitioner was taking part in, in accordance with the terms of his correctional custody, did not qualify as a WFNJ work required activity. See Initial Decision at 3-4; see also N.J.A.C. 10:90-4.1(a)(1). Further, the ALJ found, and Petitioner acknowledged, that Petitioner had not participated in the Substance Abuse Initiative/Behavioral Health Initiative, required for continued WFNJ/GA benefits eligibility. See Initial Decision at 2, 4; see also N.J.A.C. 10:90-18.1 et seq. Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/GA benefits was proper and must stand. See Initial Decision at 5-6; see also Exhibit R-1 at 8-11. 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 AFFIRMED.



Officially approved final version. December 29, 2022

Natasha Johnson
Assistant Commissioner

