



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 **07988-22 J.F.**

AGENCY DKT. NO. **C175557015 (OCEAN COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits because he was not a Work First New Jersey ("WFNJ") or Supplemental Security Income ("SSI") benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 19, 2022, the Honorable Tricia M. Caliguire, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On September 20, 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, Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I hereby MODIFY the Initial Decision, and AFFIRM the Agency determination, based upon the discussion below.

Here, the Agency denied Petitioner EA benefits on August 31, 2022, because he had advised that he was receiving Retirement, Survivors and Disability Insurance ("RSDI") benefits, and was not a WFNJ/General Assistance ("WFNJ/GA") or SSI benefits recipient. See Initial Decision at 2-3; see also Exhibit R-1. However, the ALJ found that Petitioner had failed to provide the Agency with all documentation required to determine his eligibility for EA benefits, and on that basis concluded that Petitioner was ineligible for said benefits. See Initial Decision at 3-5; see also Exhibit R-3. The ALJ also found that Petitioner had failed to explain why he had not provided the Agency with the requested documentation. See Initial Decision at 5. Further, the ALJ found that because Petitioner was not a WFNJ or SSI benefits recipient, he was ineligible for EA benefits. *Id.* at 3-5; see also N.J.A.C. 10:90-6.2(a) (limiting eligibility for EA benefits to WFNJ and Supplemental Security Income benefits recipients). Based on the foregoing, the ALJ concluded that the Agency's denial of EA benefits to Petitioner was proper and must stand. See Initial Decision at 5; see also Exhibit R-1. I agree. Additionally, I note that the ALJ also addressed the issue of a denial of WFNJ/GA benefits in the Initial Decision, but that issue was not a transmitted issue for hearing and determination at this time. Rather, the transmittal in this case reflects that a fair hearing on that issue, as well as an issue pertaining to Supplemental Nutrition



Assistance Program (“SNAP”) benefits, was earlier requested separately from the EA addressed herein, and that it is presently pending a fair hearing. As such, that issue is not addressed in this Final Agency Decision. The Initial Decision is modified to reflect this finding.

By way of comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with his current needs, including Social Services for the Homeless.

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

Officially approved final version.

September 27, 2022

Natasha Johnson
Assistant Commissioner

