



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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SARAH ADELMAN
Commissioner

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TRENTON, NJ 08625-0716

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 11039-22 R.K.

AGENCY DKT. NO. C035472011 (MERCER COUNTY BOARD OF SOC. SVCS..)

Petitioner appeals from the Respondent Agency's alleged denial of Emergency Assistance ("EA") benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On December 15, 2022, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On December 16, 2022, the ALJ issued an Initial Decision, dismissing the matter. Here, the record indicates that Petitioner's EA benefits had been terminated by notice dated March 4, 2021. See Initial Decision at 2; see also Exhibit R-1. Petitioner did not appeal that termination, and did not re-apply for EA benefits thereafter. See Initial Decision at 2. As there had been no recent EA benefits application filed by Petitioner, and no adverse action taken against Petitioner by the Agency regarding any such denial of an EA benefits application, the ALJ concluded that the OAL had no jurisdiction at the present time to rule in this matter. Id. at 2-5. Accordingly, the ALJ dismissed Petitioner's appeal. Id. at 5-6. I agree.

Exceptions to the Initial Decision were filed by Petitioner on December 16, 2022.

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 and hereby ADOPT the Findings of Fact and Conclusion of Law in this matter.

By way of comment, Petitioner is advised that she may submit the appropriate application for EA benefits, if she has not already done so, and should she be denied EA benefits by the Agency, she may request another fair hearing on that specific adverse action. See N.J.A.C. 10:90-9.1, -9.3.

By way of further comment, I have reviewed Petitioner's Exceptions, and I find that the arguments made therein do not alter my decision in this matter.

Accordingly, the Initial Decision in this matter is hereby ADOPTED. As there exists no contested issue in the case, I deem the matter moot and it is therefore DISMISSED.



Officially approved final version.

December 22, 2022

Natasha Johnson

Assistant Commissioner

