



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 06571-25 S.W.

AGENCY DKT. NO. C109653011 (MERCER COUNTY BOARD 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 she had exhausted her lifetime limit of EA benefits, and did not qualify for any further extension of EA benefits at the present time. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. The hearing was originally scheduled for July 1, 2025, at which time it was adjourned to the next day, July 2, 2025. Due to a conflict for the tribunal, the matter was then adjourned to August 11, 2025. Petitioner requested a further adjournment on August 6, 2025, which was consented to, and the matter was rescheduled for October 21, 2025. On October 21, 2025, the Honorable Gauri Shirali Shah, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, admitted documents, and the record was closed.

On November 3, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination.

Exceptions to the Initial Decision were received from Petitioner on November 19, 2025.

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 ADOPT the Initial Decision, and AFFIRM the Agency determination, based on the discussion below.

N.J.S.A. 44:10-51(a)(4) ("7-year disregard" or "EA-7"), provides, in part, that "all months of emergency assistance received more than 84 months from the date of application for emergency assistance shall not be counted toward the cumulative 12-month limit of emergency assistance." Additionally, any extreme hardship extensions of EA benefits, and any EA benefits received pursuant to an EA benefits pilot program, received more than 84 months from the date of the EA application shall not be counted. See DFD Instruction ("DFDI") No. 25-06-01 (marked as Exhibit R-3). However, in no case shall an individual receive more than 24 cumulative months of EA benefits, excluding any EA benefits received pursuant to an extreme hardship extension and EA benefits pilot program received more than 84 months from the date of the application for EA benefits. See N.J.S.A. 44:10-51a(4)(c).

Here, the ALJ found, and the record substantiates, that Petitioner has received her 12-month lifetime limit of EA benefits, as well as two six-month hardship extensions, and currently does not qualify for any further extension of any kind, including Emergency Assistance for Special Groups ("EASG"). See Initial Decision at 3-5; see also Exhibit R-5, N.J.A.C. 10:90-6.4(a), (b), (c), and State of New Jersey Senate Bill, No. S866, P.L. 2018, c. 164, effective December 20, 2018 ("S866"), now codified at N.J.S.A. 44:10-51(a)(3), and extended pursuant to State of New Jersey Assembly Bill, No. 5549, and Division of Family Development Instruction ("DFDI") No. 25-02-01. The record reflects that Petitioner received EA benefits for more than twenty-six months between February, 2013 and May, 2015. See Initial Decision at 3; see also



Exhibit R-5. Petitioner again applied for EA benefits in 2024, at which time she was found eligible to receive additional EA benefits, as her prior receipt of EA was disregarded pursuant to the EA-7 program. See Initial Decision at 3. Petitioner thereafter received twelve additional months of EA benefits from March, 2024 through April, 2025. Ibid.; see also Exhibit R-5. Petitioner was informed of the 12-month limitation on EA benefits via emails from the Agency. See Initial Decision at 4; see also Exhibits P-1, R-4, R-6. In addition, the Agency provided Petitioner with an EASG application on March 26, 2025, and, at the hearing, Petitioner acknowledged that she did not qualify for any EASG extension of benefits. See Initial Decision at 4. Petitioner contended at the hearing, however, that she should be eligible for additional months of EA benefits, in the form of hardship extensions. Ibid.

Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits was proper and must stand, as Petitioner has received more than a cumulative total of twenty-four months of EA benefits, and that, as such, Petitioner is ineligible for any further extension of EA benefits. See Initial Decision at 5; see also N.J.S.A. 44:10-51(a)(4), N.J.A.C. 10:90-6.4(d), DFDI 25-06-01. I agree.

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

By way of further 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, as outlined above.

Officially approved final version. December 23, 2025

Natasha Johnson
Assistant Commissioner

