



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 17406-25 D.B.

AGENCY DKT. NO. C144498015 (OCEAN 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, and imposed a six-month EA ineligibility penalty, contending that she failed to comply with the terms of her EA service plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. This matter was initially scheduled for December 11, 2025, at which time Petitioner requested an adjournment, which was granted. On December 17, 2025, the Honorable Jacob S. Gertsman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, admitted documents and the record was closed. On December 23, 2025, the ALJ issued an Initial Decision, affirming the Agency's determinations.

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 ADOPT the Initial Decision, and AFFIRM the Agency's determinations, based on the discussion below.

The purpose of EA is to meet the emergent needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work activities without disruption and continue on a path to self-sufficiency. N.J.A.C. 10:90-6.1(a). In order to maintain eligibility for EA benefits, the recipient must take reasonable steps to resolve his or her emergent situation. N.J.A.C. 10:90-6.6(a). Reasonable steps include, but are not limited to, the EA benefits recipient participating in the development of, and complying with, a written and signed SP. Ibid. Failure to comply with the requirements identified in the SP, without good cause, shall result in the termination of EA benefits and a six-month period of EA ineligibility. Ibid.

Here, the record reveals that Petitioner was approved for EA benefits on March 24, 2025, and provided with temporary housing in a motel. See Initial Decision at 3. Thereafter, Petitioner executed three EA SPs on March 24, 2025, April 21, 2025, and August 19, 2025, wherein she agreed, among other things, to remain drug and alcohol free, and wherein she was advised that failure to comply with her SP could affect her EA benefits eligibility. Ibid.; see also Exhibits R-2, R-3, R-4; and N.J.A.C. 10:90-6.6(a). On August 21, 2025, the Agency social worker, having learned that Petitioner had tested positive for drugs on May 2, 2025, May 14, 2025, May 23, 2025, June 20, 2025, June 23, 2025, July 14, 2025, and July 28, 2025, requested that the Agency terminate Petitioner's EA benefits due to her non-compliance with her SP. See Initial Decision at 3; see also Exhibits R-5, R-6. On August 22, 2025, the Agency notified Petitioner that her EA benefits would terminate effective September 21, 2025. See Initial Decision at 3; see also Exhibit R-1. At the time of the hearing, Petitioner did not dispute the test results. See Initial Decision at 3.



Based on the foregoing, the ALJ concluded that the Agency had met its burden of proving that Petitioner had failed to comply with the requirements contained in her EA SP, with no good cause credibly shown, such that the Agency's termination of Petitioner's EA benefits, and the imposition of a six-month EA ineligibility penalty, were proper and must stand. See Initial Decision at 2-4; see also N.J.A.C. 10:90-6.1(c)(3)(ix), 6.6(a). I agree.

By way of comment, because Petitioner has received continued assistance pending the outcome of this fair hearing, Petitioner is advised that her six-month EA ineligibility penalty shall begin to run as of the date of the issuance of this Final Agency Decision.

By way of additional 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 in this matter is hereby ADOPTED and the Agency's determinations are AFFIRMED, as outlined above.

Officially approved final version. February 12, 2026

Natasha Johnson
Assistant Commissioner

