



# State of New Jersey

MIKIE SHERRILL  
*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
PO BOX 716

STEPHEN CHA, MD, MHSR  
*Commissioner*

DR. DALE G. CALDWELL  
*Lt. Governor*

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 **00248-26 D.G.**

AGENCY DKT. NO. **C162212011 (MERCER COUNTY BOARD OF SOC. SVCS..)**

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF"), and Emergency Assistance ("EA"), benefits. The Agency terminated Petitioner's WFNJ/TANF benefits because she had exhausted the 60-month lifetime limit for WFNJ benefits, because she was unable to provide an updated MED-1 form, and because she was unable to provide proof of a Supplemental Security Income ("SSI") benefits application, both of which were required for continued WFNJ/TANF benefits eligibility. The Agency terminated Petitioner's EA benefits because she was no longer a WFNJ benefits recipient and because she had exhausted her 12-month lifetime limit of EA benefits, and all available hardship extensions. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. The hearing was initially scheduled for an emergent hearing on February 6, 2026, at which time Petitioner requested an adjournment and the matter was rescheduled, as a non-emergent matter, for March 25, 2026. The matter was then converted back to an emergent hearing and on March 18, 2026, the Honorable Nicole T. Minutoli, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On March 19, 2026, 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 ("DFD"), Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, the Initial Decision is hereby ADOPTED and the Agency's determinations are AFFIRMED, based on the discussion below.

An applicant or recipient of WFNJ benefits may be required to apply for various benefits including SSI. See N.J.A.C. 10:90-1.12. An applicant or recipient who refuses or neglects to apply for these benefits within 30 days of written notification, without good cause, shall be ineligible to receive cash assistance. Ibid.

Pursuant to N.J.A.C. 10:90-2.3(a), "eligibility for cash assistance benefits shall be limited to a lifetime total of 60 cumulative months for an adult individual recipient." See also N.J.A.C. 10:90-1.1(d) ("Assistance benefits provided under WFNJ are time-limited and considered a temporary cash subsidy[.]"). However, an individual may receive additional months of cash assistance if he/she qualifies for an exemption from, or extension of, the time limit, as set forth at N.J.A.C. 10:90-2.4 and -2.5 respectively.

WFNJ/GA benefits recipients who are unable to engage in regular work activities due to chronic illness and/or a physical or mental disability or impairment, may be deferred from the mandatory work requirement upon presentation of a 12-month MED-1 form. See N.J.A.C. 10:90-4.10(a)(2). Additionally, individuals who receive a work deferral due to a permanent disability will be required to apply for SSI benefits. See N.J.A.C. 10:90-4.10(a)(2)(i).



Only WFNJ cash assistance recipients and SSI benefits recipients are eligible for EA benefits. See N.J.A.C. 10:90-6.2(a).

Under the Work First New Jersey ("WFNJ") regulations, EA benefits are limited to 12 cumulative months during the lifetime of a case, plus limited extensions. See N.J.A.C. 10:90-6.4(a) and -6.4(b). A WFNJ/Temporary Assistance for Needy Families ("TANF") recipient may qualify for up to two six-month extensions of EA benefits when an "extreme hardship" exists pursuant to the criteria set forth in N.J.A.C. 10:90-6.4(b)(1). See N.J.A.C. 10:90-6.4(d). Thus, the maximum amount of EA benefits that a WFNJ/TANF benefits recipient may receive is 24 months.

Here, the record reflects that Petitioner was a WFNJ/TANF benefits recipient, and on March 20, 2025, the Agency notified Petitioner that her MED-1 form would expire on June 1, 2025, and provided her with a new MED-1 for her physician to complete. See Initial Decision at 2; see also Exhibit R-4. Petitioner was additionally notified, at that time, that she needed to provide the Agency with verification that she had applied for SSI benefits within thirty days. See Initial Decision at 2-3; see also Exhibit R-4. Petitioner failed to provide the updated MED-1, and proof of an SSI application, by the required date and the Agency closed her case in July, 2025. See Initial Decision at 3.

Thereafter, Petitioner appealed, but then withdrew her appeal and agreed to provide the Agency with the required documentation. See Initial Decision at 3; see also Exhibit R-1. Petitioner, however, failed to provide the documentation and on December 15, 2025, the Agency notified Petitioner that she must submit an updated MED-1 and proof of SSI application. See Initial Decision at 3; see also Exhibit R-3. Petitioner did not provide the required documentation and on December 31, 2025, the Agency terminated her WFNJ/TANF benefits, effective February 2, 2026. See Initial Decision at 3; see also Exhibit R-6. In addition, on January 2, 2026, the Agency sent an EA benefits termination notice, effective January 31, 2026, due to Petitioner no longer being a WFNJ benefits recipient and because she had received thirty-five months of EA benefits, which exceeded the lifetime limit for same. See Initial Decision at 3; see also Exhibits R-8, R-9 and see also N.J.A.C. 10:90-6.2(a), -6.4(a), (b), (d).

Petitioner testified that she sent verification of her SSI application, however, she produced no evidence of same. See Initial Decision at 3. Further, the Agency verified that Petitioner did apply for SSI in 2022, but her case was closed in 2023. *Ibid.*; see also Exhibit R-5. Petitioner also testified her physician advised her they would send the MED-1 to the Agency; however, she produced no evidence the documentation was sent. See Initial Decision at 3.

As to the WFNJ/TANF termination, the ALJ concluded that Petitioner is ineligible for WFNJ/TANF benefits because the Agency provided Petitioner with the opportunity to submit medical documentation documenting a permanent disability, specifically an updated MED-1 form and proof of SSI application, however, Petitioner never submitted such documentation, and she has received in excess of 97 months of WFNJ benefits. See Initial Decision at 4-5; see also Exhibits R-3, R-4, R-6, and N.J.A.C. 10:90-2.4. Based on the foregoing, the ALJ in this matter found that the Agency appropriately terminated Petitioner's WFNJ/TANF benefits. See Initial Decision at 3; see also N.J.A.C. 10:90-1.12, -2.2(a) (3), (5), -2.4, -2.5. I agree.

As to the EA termination, the ALJ found, and the record substantiates, that Petitioner has received thirty-five months of EA benefits, including hardship extensions, which exceeds her lifetime limit of EA benefits, and that she currently does not qualify for any further extension of any kind. See Initial Decision at 5-6; see also Exhibits R-8, R-9, and N.J.A.C. 10:90-6.4(a), (b), (c). Notably, as stated above, Petitioner did previously submit a MED-1 form, however, it expired on June 1, 2025, and as such, Petitioner did not meet the criteria for an extension of EA benefits under the Emergency Assistance for Special Groups ("EASG") pilot program, as she had not submitted a completed MED-1 form indicating that she could not work for one-year, which is needed to establish permanent disability. *Ibid.*; see also 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), also known as Emergency Assistance for Specific Groups ("EASG"), and recently extended pursuant to State of New Jersey Assembly Bill, No. 5549, which extends EA benefits eligibility for certain categories of individuals, including, but not limited to WFNJ recipients who are permanently disabled, as documented by a twelve (12) month MED-1 Form, and Supplemental Security Income ("SSI") benefits recipients. See DFD Instruction ("DFDI") No. 25-02-01. Moreover, as Petitioner was no longer a WFNJ or SSI benefits recipient, she did not meet the threshold criteria for EA eligibility. See Initial Decision at 5-6; see also N.J.A.C. 10:90-6.2(a). Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's EA benefits was also proper and must stand. See Initial Decision at 5-6. I also agree.

By way of comment, should Petitioner's circumstances change, and she is able to present a 12-month MED-1 to the Agency, as well as proof of her application for SSI benefits, she is without prejudice to reapply for WFNJ benefits. See N.J.A.C. 10:90-2.4(a)(3).

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. March 25, 2026

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Natasha Johnson  
Assistant Commissioner

