



State of New Jersey

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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 17248-25 J.B.

AGENCY DKT. NO. C083274012 (MIDDLESEX COUNTY BD. 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. On January 27, 2026, the Honorable Jeffrey N. Rabin, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, admitted documents, and the record was closed. On February 5, 2026, the ALJ issued an Initial Decision, affirming the Agency's determination.

Exceptions to the Initial Decision were received from Petitioner on February 20, 2026.

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 determination, based on the discussion below.

EA benefits are limited to 12 cumulative months, plus limited extensions for an "extreme hardship" where the recipient has taken "all reasonable steps to resolve the emergent situation but the emergency nonetheless continues or a new emergency occurs, which causes extreme hardship to the family." N.J.A.C. 10:90-6.4(b); see also N.J.S.A. 44:10-51. Specifically, General Assistance ("GA") recipients may qualify for an additional six months of EA when an "extreme hardship" exists. *Ibid.* Thus, the maximum amount of EA that a GA recipient may receive is 18 months.

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. 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).

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 extended pursuant to State of New Jersey Assembly Bill, No. 5549, 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,



which certifies a disability for a period of 12 months, and Supplemental Security Income (“SSI”) benefits recipients. See DFD Instruction (“DFDI”) No. 25-02-01 (emphasis added).

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 twelve months of benefits pursuant to the 7-year disregard, and currently does not qualify for any further extension of any kind, including Emergency Assistance for Special Groups (“EASG”). See Initial Decision at 2-3; see also Exhibit R-2, 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. Based on the foregoing, the ALJ concluded that the Agency’s termination of Petitioner’s EA benefits was proper and must stand, and that Petitioner is ineligible for any further extension of EA benefits. Ibid. I agree.

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

By way of further comment, should Petitioner obtain a 12-month MED-1 form, Petitioner is without prejudice to reapply for EA benefits.

Also by way of 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 24, 2026

Natasha Johnson
Assistant Commissioner

