



State of New Jersey

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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 **01061-26 S.M.**

AGENCY DKT. NO. **C287793009 (HUDSON COUNTY DEPT OF FAM SVCS)**

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that she had exhausted her lifetime limit of EA benefits, plus all available extensions, and did not qualify for any further extension. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 15, 2026, the Honorable Bindi Merchant, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On April 17, 2026, the ALJ issued an Initial Decision, reversing the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, REVERSE the Agency's determination, based on the discussion below.

EA benefits are limited to 12 months, plus limited extensions for "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." See N.J.A.C. 10:90-6.4(a), (b), (d); N.J.S.A. 44:10-51. Specifically, a Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") recipient may qualify for an additional six months of EA when an "extreme hardship" exists. *Ibid.* In the event the recipient's extreme hardship continues to exist at the expiration of the six-month extension period, an additional six months of EA may be provided. *Ibid.* Thus, the maximum amount of EA a WFNJ/TANF recipient may receive is 24 months.

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, and Supplemental Security Income ("SSI") benefits recipients. See DFD Instruction ("DFDI") No. 25-02-01.

Here, the record reveals that Petitioner, a WFNJ/TANF benefits recipient, has received 26 months of EA benefits, and as such, has exhausted her 12-month lifetime limit of EA benefits, as well as the two six-month hardship extensions available to her. See Initial Decision at 4; see also Exhibits R-1, R-2, and N.J.A.C. 10:90-6.4(a), (b), (c). Petitioner applied for an extension of EA benefits under EASG, which the Agency denied on December 30, 2025, on the basis that Petitioner did not meet any of the eligibility criteria. See Initial Decision at 4; see also Exhibit R-2. However, the MED-1 submitted to



the Agency by Petitioner's physician, dated August 8, 2025, while checking the box for a "temporary" disability, reflected dates for a 12-month period of time, specifically, for August 8, 2025, through August 8, 2026, thereby meeting the required 12-month period to establish a permanent disability. See Initial Decision at 4; see also Exhibit R-2, and N.J.A.C. 10:90-4.10(a)(2). Further, on January 13, 2026, Petitioner's physician submitted an updated MED-1 form, wherein the physician checked off the "Permanently Disabled for the Purposes of a Work Activity," which change was initialed by the physician. See Initial Decision at 4; see also Exhibit R-1.

Accordingly, the ALJ found that Petitioner is eligible for EA benefits pursuant to EASG. See Initial Decision at 4-5. I agree, and note that it is the dates contained in the MED-1 form that are controlling, and not the box that is checked off. As such, I direct that the Agency continue to issue said benefits.

Accordingly, the Initial Decision is hereby ADOPTED, the Agency's determination is REVERSED, as outlined above.

Officially approved final version. May 14, 2026

Natasha Johnson
Assistant Commissioner

