



State of New Jersey

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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 14653-25 T.S.

AGENCY DKT. NO. C034677017 (SALEM COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner's application for WFNJ/GA benefits, contending that he had exhausted his 60-month cumulative lifetime limit of WFNJ cash benefits, and did not qualify for an exemption from said lifetime limit. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. The matter was initially scheduled for October 14, 2025, however, Petitioner failed to appear on that date. Petitioner contacted the OAL the same day and indicated issues with joining the hearing and was granted a rescheduled hearing on October 23, 2025. On October 23, 2025, the matter was conferenced and the parties requested additional time to provide information, which led to the matter being rescheduled for November 7, 2025. A further adjournment was granted on that date and the matter rescheduled. On November 25, 2025, the Honorable Rebecca C. Lafferty, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On December 15, 2025, the ALJ issued an Initial Decision, affirming 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 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.

"Eligibility for cash assistance benefits shall be limited to a lifetime total of 60 cumulative months for an adult individual." See N.J.A.C. 10:90-2.3(a). "At the end of an individual adult recipient's 60 cumulative months of receipt of cash assistance, the assistance unit shall no longer be eligible to receive [WFNJ] assistance." See N.J.A.C. 10:90-2.3(a)(1). 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. In relevant part, a recipient is exempt from the 60-month cumulative lifetime WFNJ limit if a "physical or mental impairment, defect or injury prevents him or her from engaging in full-time employment for a period of 12 or more months on a minimum of one WFNJ/MED-1, Examination Report." See N.J.A.C. 10:90-2.4(a)(3)(i).

Here, the ALJ found, and the record substantiates, that Petitioner has received in excess of seventy-two (72) months of WFNJ/GA benefits, and as such, has exhausted his 60-month lifetime limit for said benefits. See Initial Decision at 2; see also Exhibit R-1 at 10-21, and N.J.A.C. 10:90-2.3(a). Petitioner had submitted a new WFNJ/GA application on June 3, 2025, and thereafter, the Agency faxed a MED-1 form to his physician, at the Petitioner's request, on June 12, 2025. See Initial Decision at 2-3; see also Exhibit R-1 at 25-28, R-3. The Agency received the completed MED-1 form on July 9, 2025, indicating that Petitioner was temporarily disabled until July 1, 2026. See Initial Decision at 2; see also Exhibit R-1



at 27. On July 10, 2025, the Agency received another MED-1 form, indicating that Petitioner was permanently disabled. See Initial Decision at 2; see also Exhibit R-1 at 30-32. Based upon the discrepancy in the forms received, the Agency contacted the physician's office and was verbally informed that the office does not mark patients as permanently disabled. See Initial Decision at 3.

As a regulatory condition for an exemption from the WFNJ/TANF benefits 60-month lifetime limit, Petitioner was required to provide the Agency with a MED-1 form indicating a 12-month permanent disability. See N.J.A.C. 10:90-2.2(a)(3), -2.4(a)(3)(i). As the July 9, 2025 MED-1 indicated a temporary disability, the Agency denied Petitioner's WFNJ/GA application for exceeding the lifetime limit for cash assistance benefits. See Initial Decision at 3; see also Exhibit R-1 at 3-9.

On August 4, 2025, the Agency again contacted the physician's office and requested that the office confirm and/or re-submit the MED-1 form for Petitioner, at which time, the Agency representative testified, the office confirmed the July 9, 2025 MED-1 form was the correct form. See Initial Decision at 3; see also Exhibit R-1 at 33-35.

During the October 23, 2025 pre-hearing conference, Petitioner requested that the Agency send another MED-1 to the physician's office, which the Agency did, via fax, on October 28, 2025. See Initial Decision at 3. The Agency representative testified that an individual from the physician's office contacted the Agency via telephone on that date and affirmatively stated that their office does not mark patients as being permanently disabled. Ibid. On October 29, 2025, the Agency received another completed MED-1 form indicating that Petitioner was temporarily disabled until October 20, 2026. Ibid.; see also Exhibit R-2 at 3-5.

Subsequently, on November 5, 2025, Petitioner submitted a written request for a hardship exception pursuant to the provisions of the Family Violence Option ("FVO"), at which time the Agency advised that Petitioner should complete a new WFNJ/GA application. See Initial Decision at 3. Petitioner completed a new application and the Agency referred the Petitioner for a FVO Risk Assessment in accordance with N.J.A.C. 10:90-20.1 et seq. On November 12, 2025, the FVO waiver was approved by the Agency, and on November 19, 2025, the FVO waiver was approved by DFD. See Initial Decision at 3-4. As such, Petitioner was granted WFNJ/GA effective November 12, 2025. See Initial Decision at 4.

Based on the record presented, the ALJ concluded that the July 9, 2025, and October 29, 2025, MED-1 forms received by the Agency, which indicate that Petitioner is temporarily disabled, are the controlling MED-1 forms, and that both forms indicate Petitioner is unable to participate in a work activity for less than 12 months, meaning that he would not qualify for an exemption of the 60-month cumulative lifetime limit. See Initial Decision at 4-5; see also N.J.A.C. 10:90-2.4(a)(3). Accordingly, the ALJ found that the Agency's denial of Petitioner's June 3, 2025 application for WFNJ/GA benefits, for exceeding the lifetime limit for such benefits, was proper and must stand, and that he is not entitled to any retroactive WFNJ/GA benefits from the earlier June 3, 2025 application, to the November 12, 2025 approval date of his subsequent application. See Initial Decision at 6-7; see also N.J.A.C. 10:90-2.4(a)(3).

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

Officially approved final version. February 11, 2026

Natasha Johnson
Assistant Commissioner

