



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development

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Elizabeth Connolly
Acting Commissioner

Natasha Johnson
Director

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

REMAND DECISION

OAL DKT. NO. HPW 12215-15 A.H.

AGENCY DKT. NO. C650471 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner EA benefits, contending that she failed to provide the requested documentation needed to determine EA eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 18, 2015, the Honorable Richard McGill, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On August 19, 2015, the ALJ issued his Initial Decision, reversing the Agency's determination, and remanding the matter back to the Agency. The ALJ found that Petitioner's mother credibly testified that she timely submitted all Agency requested documentation, as evidenced by a yellow slip marked "drop off papers." See Initial Decision at 2-3. Additionally, the ALJ found that the documentation may not have reached the correct Agency worker because the function of processing applications for EA moved from the third floor to the fourth floor of the Agency. *Id.* at 3. Accordingly, the ALJ concluded that the Agency improperly denied Petitioner EA benefits based on a failure to provide the required documentation, and remanded the matter back to the Agency to reevaluate Petitioner for EA eligibility. *Ibid.*

No Exceptions to this Initial Decision were filed.

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As the Director of the 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 concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law in this matter.

Accordingly, the Initial Decision in this matter is hereby ADOPTED, the Agency's determination is REVERSED, and the matter is REMANDED back to the Agency based on the foregoing discussion.

AUG 26 2015

Signed Copy on File
at DFD, BARA

Natasha Johnson
Director