



*State of New Jersey*

**DEPARTMENT OF HUMAN SERVICES**

Division of Family Development  
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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 14105-15 C.C.

AGENCY DKT. NO. GA591181 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits contending that she failed to comply with her EA service plan ("SP"), by failing to provide the Agency with the required job searches, thereby causing her own homelessness. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 22, 2015, the Honorable Michael Antoniewicz, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On October 28, 2015, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I ADOPT the ALJ's Initial Decision and AFFIRM the Agency's determination.

The purpose of EA is to meet the emergent needs of public assistance recipients, such as imminent homelessness, so that the recipient can participate in work activities without disruption and continue on a path to self-sufficiency. N.J.A.C. 10:90-6.1(a). In order to maintain eligibility for EA benefits, the recipient must take reasonable steps to resolve his emergent situation. N.J.A.C. 10:90-6.6(a).

Reasonable steps include, but are not limited to, the recipient participating in the creation of and complying with a written and signed service plan. Ibid. If a recipient fails to comply with the service plan, without good cause, then the recipient's EA benefits must be terminated for a period of six months. Ibid.

Here, the record indicates that Petitioner signed a SP, where among other things, Petitioner agreed to perform, and provide the Agency with, 20 job searches per week, on the 15th and 30th of each month. See Initial Decision at 2. Further the record indicates that Petitioner failed to supply said job searches to the Agency, and consequently, the Agency terminated her EA benefits. Petitioner testified that she was unable to work based on a July 27, 2015, MED-1 form she provided to the Agency. Id. at 2. However, the Agency rejected Petitioner's MED-1 form because it appeared altered. Id. at 2-3. Based on the foregoing, the ALJ found that Petitioner failed to comply with her SP, and that the Agency properly terminated her EA benefits. Id. at 3. I concur. Of note, Petitioner provided another MED-1 form, dated October 15, 2015, indicating that she is unable to work, however, that MED-1 form was not provided to the Agency until after its termination of her EA benefits, on August 17, 2015. Id. at 3.

Additionally, because Petitioner failed to comply with her SP, without good cause, she is ineligible for EA benefits for a period of six months, effective August 17, 2015. Therefore, Petitioner may not reapply for EA benefits until February 18, 2016. See N.J.A.C. 10:90-6.6(a).

Accordingly, the Initial Decision is ADOPTED and the Agency's action is AFFIRMED.

*Signed Copy on File*

at DFD, BARA

**NOV 17 2015**

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Natasha Johnson  
Director