



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 8854-14 C.S.

AGENCY DKT. NO. GA529983 (GLOUCESTER COUNTY DIV. OF SOC. SVCS.)

Petitioner appeals the Respondent Agency's imposition of a sanction affecting Work First New Jersey/General Assistance ("WFNJ/GA") and eligibility for Supplemental Nutrition Assistance Program ("SNAP"), f/k/a the Food Stamp Program, benefits. In addition, Petitioner appeals the denial of Emergency Assistance ("EA") in the form of retroactive utility bills dating from May 2011. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On August 22, 2014, the Honorable John S. Kennedy, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On September 4, 2014, the ALJ issued an Initial Decision which affirmed the Agency determination.

Petitioner submitted exceptions on September 19 and October 6, 2014.

As the Director of the Division of Family Development, Department of Human Services, I independently reviewed the record and hereby ADOPT the Initial Decision and AFFIRM the Agency determination.

In July 2014, the Agency imposed a sanction on Petitioner's WFNJ benefits and terminated SNAP benefits based upon Petitioner's admitted refusal to sign an individual responsibility plan and attend scheduled WFNJ work activities. N.J.A.C. 10:90-2.2(a)(10)(e); -4.1(d); -4.13; N.J.A.C. 10:87-7.7; -10.15; -10.16(a)(1).

The ALJ found no evidence of good cause or intent to come into compliance. N.J.A.C. 10:90-4.11. Specifically, the ALJ rejected Petitioner's contention that the

Agency must help her regain her nursing license, the loss of which she indicated is the

subject of a pending appeal to the Appellate Division of the New Jersey Superior Court, and that in the interim she should not have to participate in what she considers to be inappropriate WFNJ work activities.

With respect to the denial of EA, there is sufficient credible evidence Petitioner is not eligible for additional utility assistance. The Agency granted 6 months of utility assistance beginning in September 2013. Petitioner's house is in foreclosure, multiple utilities are significantly in arrears and the number of months of utility arrearages exceeds both her available EA and the Agency's authorization limit. N.J.A.C. 10:90-6.3(a)(5)(i). I note Petitioner previously refused EA in the form of a shelter placement.

For the foregoing reasons, I ADOPT the Initial Decision and AFFIRM the Agency determination.

OCT 22 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director