



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

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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 11537-14 D.D.

AGENCY DKT. NO. GA189300 (SALEM COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's denial of his request for an extension of EA benefits. The Agency terminated Petitioner's EA benefits because he failed to meet the criteria for an extension. On October 20, 2014, the Honorable John S. Kennedy, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. On November 10, 2014, the ALJ issued an Initial Decision affirming the Agency determination.

Neither party submitted exceptions to the Initial Decision.

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 having made an independent evaluation of the record, I accept and adopt the ALJ's Findings of Fact and Conclusions of Law.

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). 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." N.J.A.C. 10:90-6.4; N.J.S.A. 44:10-51. Specifically, a Work First New Jersey/General Assistance ("WFNJ/GA") recipient such as the Petitioner may receive additional six

months of EA when an "extreme hardship" exists. Ibid. Thus, the maximum amount of EA that a WFNJ/GA benefits recipient may receive is eighteen months.

If a WFNJ/GA recipient exhausts his lifetime limit for EA benefits and extreme hardship extension, as appropriate, he may receive additional EA benefits under the Housing Assistance Program ("HAP"). To be eligible for the HAP program, the individual must be permanently disabled, as substantiated by a 12-month Med-1 Form, and have a pending application or appeal for Retirement Survivors and Disability Insurance ("RSDI") and/or Supplemental Security Income ("SSI") benefits. N.J.A.C. 10:90-6.10(a)(1)(i).

The record for this matter demonstrates that the Petitioner has received 18 months of EA. As such, the Petitioner has exhausted his lifetime limit of EA and the single six-month "extreme hardship" extension available to him under N.J.A.C. 10:90-6.4. See Initial Decision at 2 and Exhibit R-1 at 9-14. While Petitioner provided a Med-1 Form, it only substantiates one month of disability. See Exhibit P-1 at 3. Moreover, nothing on the record indicates that the Petitioner has applied for or is appealing the denial of SSI or RSDI. As such, the Petitioner is not eligible for additional EA under HAP.

By way of comment, the record indicates that the Petitioner also applied for an EA extension under the Housing Hardship Extension ("HHE") pilot, N.J.A.C. 10:90-6.9. However, this pilot program is only applicable to WFNJ/Temporary Assistance for Needy Families recipients. N.J.A.C. 10:90-6.9(a)(1). Because Petitioner is a WFNJ/GA recipient, he is not eligible for additional EA under HHE.

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

Signed Copy on File

at DFD, BARA

DEC 10 2014

Jeanette Page-Hawkins
Director