



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 12859-14 R.T.

AGENCY DKT. NO. GA269819 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's termination of his Work First New Jersey/General Assistance ("WFNJ/GA") benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 27, 2014, the Honorable James A. Geraghty, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On November 17, 2014, the ALJ issued his Initial Decision affirming the Agency's determination. The ALJ noted that to be exempt from participation in the Supportive Assistance to Individuals and Families ("SAIF") program, an individual must be eligible for an exemption under N.J.A.C. 10:90-2.4. See Initial Decision at 2-3. The ALJ further noted that Petitioner did not have a current one year MED-1 form as required by N.J.A.C. 10:90-2.4(a)(3)(i). As such, the ALJ concluded that Petitioner had not met his burden to establish that the Agency had wrongfully terminated Petitioner's WFNJ/GA benefits. See *id.* at 3.

No Exceptions to the Initial Decision were filed.

As the Director of the Division of Family Development, Department of Human Services, I have considered the record in this matter and the ALJ's Initial Decision and I hereby ADOPT the Initial Decision and AFFIRM the Agency's action.

Petitioner was the recipient of benefits from the WFNJ welfare program, N.J.S.A. 44:10-34 et seq., through the Agency. Specifically, Petitioner previously received monthly WFNJ/GA benefits, which consist of cash assistance for single adults and couples without dependent children. N.J.A.C. 10:90-1.1(b). In order to maintain eligibility for receipt of WFNJ/GA benefits, the recipient must cooperate with, and

participate in, the WFNJ work activity requirements. N.J.A.C. 10:90-4.1(a)(2). Failure of WFNJ benefits recipient to cooperate with the WFNJ program, or participate in the work activity, without good cause, or unless deferred, will result in a sanction, meaning a loss of cash assistance. N.J.A.C. 10:90-4.13(a).

Pursuant to N.J.A.C. 10:90-2.3(a), "eligibility for cash assistance benefits shall be limited to a lifetime total of 60 cumulative months for an adult individual recipient." See also N.J.A.C. 10:90-1.1(d) ("Assistance benefits provided under WFNJ are time-limited and considered a temporary cash subsidy ..."). However, an individual may receive additional months of cash assistance if he/she qualifies for an exemption to, or extension of, the time limit, as set forth at N.J.A.C. 10:90-2.4 and -2.5 respectively. The goal of WFNJ is to help the recipient achieve self-sufficiency through obtaining employment and removal from the program. See N.J.S.A. 44:10-62(a).

The SAIF program, referenced by the ALJ, provides intensive case management to individuals who have received 48 months of WFNJ benefits, have complied with WFNJ requirements and have not become self-sufficient and who do not appear to be exemptible under N.J.A.C. 10:90-2.4. See N.J.A.C. 10:90-2.20(a). The goal of the SAIF program is to assist participants to become self-sufficient before they have exhausted their lifetime total of 60 cumulative months of assistance. *Ibid.*

Based upon the record presented, it is unclear if Petitioner has reached his lifetime 60 month cumulative total. However, based upon the ALJ's finding that Petitioner has not presented a proper basis for an exemption of the 60-month cumulative lifetime total, I agree that Petitioner's WFNJ/GA benefits were properly terminated.

I note that Petitioner is without prejudice to reapply for WFNJ/GA benefits if he can meet any of the criteria for either an extension, under N.J.A.C. 10:90-2.3, or an exemption, under N.J.A.C. 10:90-2.4.

By way of comment, the Agency is reminded of its responsibilities in representation and presentation of a matter at a plenary hearing before an ALJ, pursuant to N.J.A.C. 10:90-9.12(b).

Accordingly, the Initial Decision in this matter is ADOPTED and the Agency's action is hereby AFFIRMED.

*Signed Copy on File*  
at DFD, BARA  
**JAN - 2 2015**

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Jeanette Page-Hawkins  
Director