



*State of New Jersey*

**DEPARTMENT OF HUMAN SERVICES**

Division of Family Development

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Chris Christie  
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Kim Guadagno  
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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 7312-15 S.B.

AGENCY DKT. NO. GA298666 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner WFNJ/GA benefits because, upon recertification for continued WFNJ/GA eligibility, she failed to provide the documentation required to determine eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On June 16, 2015, the Honorable Sandra Ann Robinson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. The record remained open until June 17, 2015, in order for necessary documentation to be received, after which the record closed. On June 19, 2015, the ALJ issued an Initial Decision, which affirmed the Agency's action.

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, AFFIRM the Agency's determination, and REMAND the matter back to the Agency based on the discussion below.

In order to be found eligible WFNJ/GA for benefits, the applicant must provide all necessary documentation requested by the county welfare agency. N.J.A.C. 10:90-2.2(a)(5).

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The ALJ found, and I concur, that at the time of Petitioner's recertification for continued WFNJ/GA eligibility, she failed to provide adequate documentation needed for the Agency to determine her continued eligibility. See Initial Decision at 5. Specifically, Petitioner was required to provide the Agency with a letter from the Division of Child Protection and Permanency ("DCP&P"), f/k/a DYFS, indicating its custody of one of her children, by name. Id. at 3. However, the letter from DCP&P failed to specifically name that child, and consequently, the Agency denied Petitioner WFNJ/GA benefits because there was no proof of the custody of her minor children. Ibid.

However, at the time of the hearing, DCP&P faxed a letter to the OAL indicating with specificity that it indeed had custody of Petitioner's minor child, at issue here. Id at 4. Therefore, the ALJ found that based on this newly acquired documentation, the Agency can now determine whether Petitioner's WFNJ/GA benefits should be continued. Id. at 5. Accordingly, the matter is remanded back to the Agency to reevaluate Petitioner's eligibility for continued WFNJ/GA benefits.

As the record indicates that Petitioner has an open case with DCP&P, a copy of the Initial and Final Decisions shall be forwarded to DCP&P.

Accordingly, the Initial Decision is ADOPTED, the Agency's action is AFFIRMED, and the matter is REMANDED back to the Agency based on the discussion above.

*Signed Copy on File*

at DFD, BARA

**JUL - 6 2015**

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Natasha Johnson  
Director