

SUBCHAPTER 7. TERMINATION OF SERVICES

10:37B-7.3 Termination by the community support services program  
 (a) If the consumer is terminated pursuant to N.J.A.C. 10:37B-7.1(a)5 or 6, the PA shall notify the Division of the reasons for the termination and shall notify the consumer of his or her right to file a complaint pursuant to N.J.A.C. 10:37-[4.5]4.6. The PA shall submit to the Division, upon its request, any records relating to the services provided to the consumer, and copies of any rule, policy, notifications, attempts to contact or engage the consumer, or any other writing that documents the circumstances that led to the termination of services.  
 (b) The Division shall notify the Department of the rule violated in any termination pursuant to N.J.A.C. 10:37B-9.1(a)[5], and at the time of the next licensure review, the Department shall [assure] **ensure** that the rule was agreed to by all consumers who have signed a consumer service agreement and is reasonable, both on its face and as applied.

SUBCHAPTER 9. HEARINGS, APPEALS, COMPLAINTS

10:37B-9.1 Development and communication of complaint procedures  
 (a) All PAs shall establish internal complaint procedures, which will be subject to [the Department's] **DOH** review and approval at the time of initial licensing and licensing renewal. Complaint procedures shall allow for a consumer, or his or her designee, to report a grievance to an identified administrator of the PA regarding services provided or which failed to be provided, to seek appropriate redress related thereto, and to have corrective action taken as might be warranted.  
 (b)-(d) (No change.)

SUBCHAPTER 11. POLICIES AND PROCEDURES MANUAL

10:37B-11.2 Content of the policies and procedures manual  
 (a)-(f) (No change.)  
 (g) Safety. The manual shall set forth rules and procedures that will promote and assure the safety of consumers, staff, visitors, and the general public, including, but not limited to:  
 1. (No change.)  
 2. Providing, as needed, emergency response services in accordance with N.J.A.C. 10:37B-4.4[(a)25]**(b)25**; and  
 3. (No change.)  
 (h)-(l) (No change.)

**(a)**

**DIVISION OF FAMILY DEVELOPMENT  
 Notice of Administrative Changes  
 Increases to Work First New Jersey Benefit  
 Schedules and Emergency Assistance Hotel and  
 Motel Per Diem Rates**

**N.J.A.C. 10:90-3.3, 3.5, 3.6, 3.18, and 6.7**

Effective Date: July 10, 2023.

**Take notice** that, the State Fiscal Year (FY) 2023 appropriations act, P.L. 2022, c. 49, increased the Work First New Jersey (WFNJ) benefit levels by 20 percent above the amounts in effect during FY 2019. Therefore, the Division of Family Development (DFD) is changing the WFNJ Temporary Assistance for Needy Families (TANF) and General Assistance (GA) initial maximum allowable income and maximum benefit payment level schedules at N.J.A.C. 10:90-3 to codify the statutorily proscribed amounts required pursuant to P.L. 2022, c. 49.

**Take further notice** that P.L. 2022, c. 49, requires DFD to increase the Emergency Assistance Program per diem reimbursement rate for hotels and motels by \$12.00 greater than the rates in effect during FY 2022. The changes at N.J.A.C. 10:90-6.7 reflect these increased reimbursement rates.

**Full text** of the changed rules follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 3. FINANCIAL ELIGIBILITY-INCOME, RESOURCES, BENEFITS

10:90-3.3 WFNJ/TANF-initial allowable maximum income and maximum benefit payment levels (Schedules I and II)  
 (a) (No change.)  
 (b) Schedule II below identifies the WFNJ/TANF maximum allowable benefit payment levels for the appropriate assistance unit size that shall be used for families with dependent children. As long as the assistance unit's countable income is less than the applicable benefit level, WFNJ/TANF financial eligibility exists. When the total countable income equals or exceeds the applicable benefit level, the assistance unit is no longer eligible for WFNJ/TANF benefits except for cases with earned income that are subject to six-month reporting requirements. Such cases need not report changes in earned income until such time as the assistance unit's total income exceeds 130 percent of the Federal Poverty Level (FPL). However, if the assistance unit does report a change, the county/municipal agency shall act on that change.

WFNJ/TANF Schedules I and II

WFNJ/TANF Initial Maximum Allowable Income Levels and Maximum Benefit Payment Levels

Families with Dependent Children

Schedule I		Schedule II
Initial Maximum Allowable <u>Income Levels</u>	Number in <u>Assistance Unit</u>	Maximum Benefit <u>Payment Levels</u>
[243] <b>\$321</b>	1	[\$162] <b>\$214</b>
[483] <b>\$638</b>	2	[322] <b>\$425</b>
[636] <b>\$839</b>	3	[424] <b>\$559</b>
[732] <b>\$966</b>	4	[488] <b>\$644</b>
[828] <b>\$1,092</b>	5	[552] <b>\$728</b>
[924] <b>\$1,221</b>	6	[616] <b>\$814</b>
[1,015] <b>\$1,341</b>	7	[677] <b>\$894</b>
[1,092] <b>\$1,442</b>	8	[728] <b>\$961</b>
Add [\$75] <b>\$99</b> for each additional person	More than 8	Add [\$50] <b>\$66</b> for each additional person

10:90-3.5 WFNJ/GA employable, initial allowable maximum income, and maximum benefit payment levels (Schedules III and IV)  
 (a) (No change.)

(b) Schedule IV below identifies the WFNJ/GA maximum allowable benefit payment levels for the appropriate assistance unit size that shall be used for employable single adults and couples without dependent children. As long as the assistance unit's countable income is less than the applicable benefit level, WFNJ/GA financial eligibility exists. When the countable income equals or exceeds the applicable benefit level, the assistance unit is no longer eligible for WFNJ/GA benefits except for cases with earned income that are subject to six-month reporting requirements. Such cases need not report changes in earned income until such time as the assistance unit's total income exceeds 130 percent of the Federal Poverty Level (FPL). However, if the assistance unit does report a change, the county/municipal agency shall act on that change.

**ADOPTIONS**

**PUBLIC UTILITIES**

WFNJ/GA Employable Assistance Units Schedules III and IV  
WFNJ/GA Initial Maximum Allowance Income Levels and Maximum Benefit Payment Levels for Employable Single Adults and Couples without Dependent Children

Number in Eligible Unit  
More than 8  
(e) (No change.)

200% of WFNJ/TANF Payment Level  
Add [\$100.00] **\$132.00** each person

Schedule III	Schedule IV
WFNJ/GA Employable Maximum Allowable Income Levels	WFNJ/GA Employable Maximum Benefit Payment Levels
Number in Assistance Unit	Maximum Benefit Payment Levels
[\$210] <b>\$278</b> [290] <b>\$381</b>	[140] <b>\$185</b> [193] <b>\$254</b>

10:90-3.6 Eligibility/maximum benefit payment levels for WFNJ/GA unemployable single adults and couples without dependent children (Schedule V)

(a) There is no separate initial income eligibility test for WFNJ/GA unemployable single adults and couples without dependent children. Instead, for unemployable assistance units who apply as a new applicant, re-applicant, or reopened case, the total countable income of the WFNJ/GA shall be compared to the unemployable maximum benefit payment level in Schedule V below. If the assistance unit has income less than the maximum benefit payment level for the appropriate unit size, then initial financial eligibility exists; and, financial eligibility shall continue to exist as long as the total countable income is less than the applicable benefit payment level. When the income equals or exceeds the benefit payment level, the assistance unit is no longer financially eligible for WFNJ/GA benefits.

WFNJ/GA Unemployable Assistance Units Schedule V  
WFNJ/GA Initial Maximum Benefit Payment Levels for Unemployable Single Adults and Couples without Dependent Children

Number in Assistance Unit	WFNJ/GA Unemployable Maximum Benefit Payment Levels
1	[\$210] <b>\$277</b>
2	[289] <b>\$382</b>

10:90-3.18 Treatment of lump sum income WFNJ TANF/GA  
(a)-(c) (No change.)

(d) When the total remaining lump sum income (for either a WFNJ/TANF or WFNJ/GA case) exceeds 200 percent of the WFNJ/TANF maximum payment level for the appropriate eligible assistance unit size as set forth in Schedule VI below, the assistance unit will be ineligible for WFNJ for the number of full months derived by dividing this total income by the payment level applicable to the eligible assistance unit size in Schedule VI.

1. Schedule VI shall also be used for alien sponsor-income deeming as set forth [in] at N.J.A.C. 10:90-3.15.

WFNJ/TANF and WFNJ/GA Schedule VI

Number in Eligible Unit	200% of WFNJ/TANF Payment Level
1	[\$324] <b>\$428</b>
2	[644] <b>\$850</b>
3	[848] <b>\$1,118</b>
4	[976] <b>\$1,288</b>
5	[1,104] <b>\$1,456</b>
6	[1,232] <b>\$1,628</b>
7	[1,354] <b>\$1,788</b>
8	[1,456] <b>\$1,922</b>

**SUBCHAPTER 6. EMERGENCY ASSISTANCE**

10:90-6.7 Payment for hotel or motel placements  
The county or municipal agency shall issue payment for emergency housing provided in hotels and motels in accordance with the schedule of per diem rates as follows:

Emergency Assistance amounts per day

1 Person/1 room	[\$50.00] <b>\$62.00</b>
2 Persons/1 room	[\$60.00] <b>\$72.00</b>
3 Persons/1 room	[\$75.00] <b>\$87.00</b>
4 Persons/1 room	[\$75.00] <b>\$87.00</b>
4 Persons/2 rooms	[\$105.00] <b>\$117.00</b>
5 Persons/1 room	[\$85.00] <b>\$97.00</b>
5 Persons/2 rooms	[\$105.00] <b>\$117.00</b>

**PUBLIC UTILITIES**

(a)

**BOARD OF PUBLIC UTILITIES**

**All Utilities**

**Adopted Amendment: N.J.A.C. 14:3-3A.1**

Proposed: February 22, 2022, at 54 N.J.R. 341(a).  
Notice of Proposed Substantial Changes upon Adoption to Proposed Amendments: August 15, 2022, at 54 N.J.R. 1583(a).  
Adopted: May 24, 2023, by the New Jersey Board of Public Utilities, Joseph L. Fiordaliso, President, Mary-Anna Holden, Dianne Solomon, Robert M. Gordon, and Dr. Zenon Christodoulou, Commissioners.  
Filed: May 26, 2023, as R.2023 d.081, with **substantial changes** to proposal after additional notice and public comment, pursuant to N.J.S.A. 52:14B-10, and **with non-substantial changes** not requiring additional notice and public comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 48:2-13; 48:2-16, 16.1, 16.2, 16.3, 16.4, 17, 20, 23, 24, 25, and 27; 48:3-2.3, 3, 4, and 7.8; and 48:19-17.

BPU Docket Number: AX21070998.

Effective Date: August 7, 2023.

Expiration Date: May 26, 2030.

**Summary of Public Comments and Agency Responses:**

Written comments were received by: Jersey Central Power & Light Company (JCP&L); New Jersey American Water Company (NJAWC); New Jersey Division of Rate Counsel (NJRC); New Jersey Utilities Association (NJUA); and the regulated wholly owned subsidiaries of Verizon Communications, Inc., operating in New Jersey, including Verizon New Jersey, Inc. and MCImetro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services and MCI Communications Services, LLC d/b/a Verizon Business Services (Verizon).

**1. Comments Received During Initial Comment Period Giving Rise to Substantial Changes in Proposal upon Adoption**

1. COMMENT: The commenter objects to the proposed deletion of “to the extent reasonably possible” and changes that would require utilities to provide at least two different forms of notice before suspending, curtailing, or discontinuing service for any reason other than nonpayment. The commenter states that the discontinuance of service, in some cases, may be necessary to address safety, law enforcement-related, or other