

STATE OF RHODE ISLAND
EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES
APPEALS OFFICE

██████████
v.

Rhode Island Department of Human
Services

DOCKET No. 25-0185

DECISION

I. INTRODUCTION

A telephonic hearing on the above-entitled matter was conducted on April 17, 2025.

██████████ (Appellant) initiated this matter to appeal a decision made by the Department of Human Services (DHS) to terminate his Supplemental Nutrition Assistance Program (SNAP) benefits due to his failure to return a required six-month interim report in a timely manner. For the reasons discussed in detail below, the Appellant's appeal is denied.

II. JURISDICTION

The Executive Office of Health and Human Services (EOHHS) is authorized and designated R.I.G.L. §42-7.2-6.1 and in RICR 210-RICR-10-05-2 to be the principal entity responsible for appeals and hearings related to DHS programs. The administrative hearing was held in accordance with the Administrative Procedures Act, R.I.G.L. §42-35-1, and EOHHS regulation 210-RICR-10-05-2.

III. ISSUE

The issue is whether the closure of the Appellant's SNAP was done in compliance with State and Federal policies and regulations.

IV. PARTIES AND EXHIBITS

Present for DHS was Jessica Fox, Eligibility Technician III, who presented testimony regarding the case. DHS offered the following evidence, which was entered into the record of hearing:

- Exhibit #1 - Appeal request form received December 12, 2024.
- Exhibit #2 - Benefits Decision Notice (BDN) dated October 21, 2024.
- Exhibit #3 - Electronic Document Inquiry and Re-Index search results for the period September 1, 2024, through December 21, 2024.
- Exhibit #4 - Electronic Case File Screen.
- Exhibit #5 - SNAP Eligibility Determination Results.

The Appellant attended the hearing with his Authorized Representative (AR), [REDACTED]

[REDACTED] who presented the majority of the testimony.

V. RELEVANT LAW/REGULATIONS

EOHHS is charged with being the principal entity for legal service functions, oversight of rulemaking, law interpretation, and related duties of itself and the four agencies under its jurisdiction, which includes DHS. 210-RICR-10-05-2.1(1)(B).

All SNAP households are subject to interim reporting requirements, with the exception of households with no earnings and in which all members are elderly or disabled; and households which include migrant and seasonal farm workers. 218-RICR-20-00-1.13.2.

In the fifth (5th) month of certification, households subject to interim reporting will receive an Interim Report Form in the mail. Households must complete the form in its entirety and mail the form with the required verifications back to the agency by the fifth (5th) day of the sixth (6th) month of certification. Failure to return the Interim Report Form will result in the closure of SNAP benefits. If a household fails to return the Interim Report Form by the fifth (5th) day of the sixth (6th) month of the certification period, the agency must send a warning notice to the household. The household will have ten days from the mail date to return the Interim Report Form, along with the necessary verifications, or the case will close by the sixth (6th) month of the household's certification period. 218-RICR-20-00-1.13.2(B)(2-4).

Likewise, Federal regulation 7 C. F. R. § 273.12(a)(5)(iii)(E) states that if a household fails to file a complete report by the specified filing date, the State agency shall provide the household with a reminder notice advising the household that it has 10 days from the date of the notice to file a complete report. If the household does respond to the reminder notice, the household's participation shall be terminated, and the State agency must send an adequate notice of termination.

VI. FINDINGS OF FACT

Both DHS and the AR were considered to be credible. According to the testimony of the parties, the facts are as follows:

1. On September 8, 2024, DHS mailed an Interim Report Form to the Appellant's address of record.
2. On October 9, 2024, DHS mailed a Six-Month Interim Report Reminder to the Appellant.
3. The Electronic Case File Screen does not show that the Interim Report Form was received at any time in the period from March 8, 2024, through February 12, 2025.

4. On October 22, 2024, DHS mailed a BDN to the Appellant notifying him that his SNAP was closing effective November 1, 2024, due to his failure to return his Interim Report Form.
5. The AR stated that she mailed the Interim Report Form via USPS in a timely manner.
6. The AR did receive the Interim Report Reminder but stated that she “assumed that it had crossed in the mail” with the Interim Report Form, and therefore she did not reach out to DHS to question the reminder notice.
7. On December 6, 2024, the AR called DHS for assistance with the SNAP closure, she was on hold for 106 minutes and she chose to disconnect the call.
8. On January 13, 2025, the Appellant received a notice from DHS telling him that they had received the appeal request and that someone from DHS would be reaching out to try to informally resolve the issue.
9. When DHS attempted to reach the Appellant and/or the AR (the same telephone number was listed for both), the telephone number was incorrect, so they were not able to speak to anyone.
10. The AR conceded that when she completed the appeal form, the telephone number that she wrote was off by one digit, and therefore was not correct.
11. DHS has no record in the Appellant’s case file of communication or conversation with either the Appellant or the AR from the time of the April 2024 recertification through December 12, 2024, when DHS received the appeal request.
12. On February 5, 2025, the AR was able to speak to a DHS representative and was told to file a new application.
13. There is no documentary evidence from DHS, or the Appellant, or the AR showing that the Interim Report Form was sent to, or received by, DHS by the due date.

VII. DISCUSSION

The Appellant filed an appeal because his SNAP closed due to failure to return the required six-month Interim Report Form in a timely manner. The AR feels that there were a series of delays caused by DHS that collectively resulted in the termination of the Appellant's SNAP benefits. Because of this, she feels the Appellant is owed SNAP benefits back to the date of closure because the Interim Report Form was sent in timely.

The delays that the AR stated on multiple occasions regarding DHS being at fault for the delays and that they were not responsive to her are not found to be valid. The AR's assumptions that the Interim Reminder and the Interim Report Form had "crossed in the mail" cannot be viewed as a DHS caused delay. In fact, the AR chose to ignore the Interim Reminder and not take any action until the SNAP benefits had been terminated. DHS did attempt to reach her after she filed the appeal request, but because she listed the incorrect telephone number, they were not able to. The AR conceded that she did not want to wait on the call center telephone line, so she chose to disconnect, nor did she want to go to a local office to attempt to resolve the issue because she stated that she would have to wait for a long time at an office.

Evidence and testimony from DHS shows that the Interim Report Form was mailed to the Appellant on September 8, 2024, and the Interim Reminder notice was mailed on October 9, 2024. The evidence provided by DHS does not show that the Interim Report Form was submitted by the due date, in fact the evidence does not show that an Interim Report Form was ever filed at all, rather that the Appellant opted to reapply for SNAP benefits. In addition, the AR had no documentary evidence that the Interim Report Form had been mailed.

VIII. CONCLUSION OF LAW

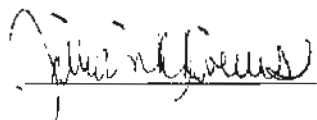
After careful consideration of the testimony and evidence presented at the Administrative Hearing, this Hearings Officer concludes:

1. DHS was in compliance with State policies and Federal regulations for sending the Appellant an Interim Report Form
2. DHS was in compliance with State policies and Federal regulations for sending the Appellant the Interim Reminder.
3. There is insufficient evidence to determine if and when the AR mailed the Interim Report Form, however the evidence shows that DHS did not receive it at all.

IX. DECISION

Based on the foregoing Findings of Fact, Conclusions of Law, evidence, and testimony it is found that a final order be entered that DHS did comply with the requirements of the applicable policy and regulations for the termination of the Appellant's SNAP benefits.

APPEAL DENIED

A handwritten signature in dark ink, appearing to read "Jillian R. Rivers", is written over a horizontal line.

Jillian R. Rivers

Appeals Officer

NOTICE OF APPELLANT RIGHTS

This final order constitutes a final order of the Department of Human Services pursuant to RI General Laws §42-35-12. Pursuant to RI General Laws §42-35-15, a final order may be appealed to the Superior Court sitting in and for the County of Providence within thirty (30) days of the mailing date of this decision. Such appeal, if taken, must be completed by filing a petition for review in Superior Court. The filing of the complaint does not itself stay enforcement of this order. The agency may grant, or the reviewing court may order, a stay upon the appropriate terms.

CERTIFICATION

I hereby certify that I mailed, via regular mail, postage prepaid, a true copy of the foregoing to [REDACTED], and his Authorized Representative [REDACTED]; copies were sent, via email, to the Appellant at [REDACTED] and his Authorized Representative at [REDACTED]; and to DHS Representatives Jessica Fox, Kirsten Cornford, the DHS Appeals Unit, and the DHS Policy Unit on this 2nd day of MAY, 2025.

Annexa M. Kindell