

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

V.

DOCKET No. 25-0559

Department of Human Services

**DECISION**

**I. INTRODUCTION**

A Microsoft Teams hearing on the above-entitled matter came before an Appeals Officer on May 8, 2025, at 2:00 PM, and the Appellant declined the option of a video hearing. The Appellant, [REDACTED] (hereinafter the “Appellant”), initiated this matter to appeal a Supplemental Nutrition Assistance Program (SNAP) case closure made by the Department of Human Services (DHS). The Department testified that the Appellant’s SNAP case was closed correctly because the Appellant failed to submit a complete SNAP renewal form to DHS prior to the end of her SNAP certification period. The Appellant argued that she received her SNAP renewal form late because she tried, unsuccessfully, to update her mailing address before DHS sent her SNAP renewal form and, therefore, her SNAP case was closed incorrectly. For the reasons discussed in more detail below, the Appellant’s Appeal is denied.

**II. JURISDICTION**

The Executive Office of Health and Human Services (EOHHS) is authorized and designated by R.I.G.L. § 42-7.2-6.1 and EOHHS regulation 210-RICR-10-05-2 to be the 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 et seq., and EOHHS regulation 210-RICR-10-05-2.

### **III. ISSUE**

Did DHS close the Appellant's SNAP case in compliance with Federal and State Policy?

### **IV. STANDARD OF PROOF**

It is well settled that in formal or informal adjudications modeled on the Federal Administrative Procedures Act, the initial burdens of production and persuasion rest with the moving part. See (2 Richard J. Pierce, *Administrative Law Treatises* §10.7 (2002)). Unless otherwise specified, a preponderance of the evidence is generally required to prevail. See (*Lyons v. Rhode Island Pub. Employees Council* 94, 559 A.2d 1130, 134 (R.I. 1989)) (preponderance standard is the "normal" standard in civil cases). This means that for each element to be proven, the factfinder must believe that the facts asserted by the proponent are more probably true than false. When there is no direct evidence on a particular issue, a fair preponderance of the evidence may be supported by circumstantial evidence. See (*Narragansett Electric Co. vs. Carbone*, 898 A.2d 87 (R.I. 2006)).

### **V. PARTIES AND EXHIBITS**

Present for DHS was Eligibility Technician, Jesus Rafael Martinez, who provided testimony regarding the Appellant's SNAP case and offered the following exhibits into evidence:

Exhibit #1 – Paper Appeal Form, Received January 29, 2025.

Exhibit #2 – Benefit Decision Notice, Date: January 29, 2025.

Exhibit #3 – Renewal Reminder/Update - Notice of Adverse Action, Date: October 12, 2025.

Exhibit #4 – Notice of Expiration/Renewal Form, Date: September 1, 2025.

Exhibit #5 – Eligibility Determination Results, Case#: [REDACTED]

Exhibit #6 – Relevant SNAP Regulations (218-RICR-20-00-1.8(A-B) & 218-RICR-20-00-1.8.1(A)).

The Appellant was present and testified on her own behalf. She offered the following exhibit into evidence:

Exhibit #7 – Electronic Appeal Form, Received January 29, 2025.

## **VI. RELEVANT LAW/REGULATIONS**

Definite periods of time are established which households are eligible to receive benefits. At the expiration of each certification period, eligibility for food assistance is redetermined based upon a newly completed application or recertification packet, an in-person or phone interview, and such verification as is required. Under no circumstances are benefits continued beyond the end of a certification period without a redetermination of eligibility. See (218-RICR-20-00-1.8(A)).

Households consisting entirely of elderly or disabled members with no earned income (ESAP households), are considered change reporters as defined in § 1.13.1 of this Part and are assigned a 36-month certification period. (See 218-RICR-20-00-1.8(A)(1)). Households with members who are migrant seasonal farmworkers are considered change reporters as defined in § 1.13.1 of this Part and are assigned a 24-month certification period. See (218-RICR-20-00-1.8(A)(2)). All other households are considered Simplified Reporters and are assigned a 12-month certification period. See (218-RICR-20-00-1.8(A)(3)).

The agency is required to take prompt action on all changes of which it becomes aware of to determine if the change affects the household's eligibility or allotment. See (218-RICR-20-00-1.13(D)(1)). The agency shall act on those changes that it learns about from a source other than the household if those changes are verified upon receipt and do not necessitate contact with the household. See (218-RICR-20-00-1.13(D)(1)(b)).

## **VII. FINDINGS OF FACT**

1. DHS mailed a Notice of Expiration/Renewal Form to the Appellant's last known mailing address, [REDACTED], on September 1, 2024. The notice states that the Appellant's SNAP benefits will end if she does not submit a complete renewal form to DHS before October 31, 2024. The notice also informs the Appellant that the renewal form may be submitted in person, sent through the mail, completed on-line at [healthyrhode.ri.gov](https://healthyrhode.ri.gov) or faxed to (401) 462-8038.
2. DHS mailed a Renewal Reminder/Update Notice – Notice of Adverse Action to the Appellant's last known mailing address, [REDACTED], on October 12, 2024. The notice states that because DHS did not receive the Appellant's complete SNAP renewal form, her SNAP benefits will end on October 31, 2024.
3. The Appellant testified that she received a SNAP renewal form on October 20, 2024.
4. The Appellant did not provide any testimony or evidence to show that she submitted a complete SNAP renewal form or a complete SNAP application to DHS prior to October 31, 2024.
5. DHS closed the Appellant's SNAP case on October 31, 2024.
6. The Appellant did not provide any evidence to show that she reported a change in her mailing address to DHS prior to October 12, 2024.

## **VIII. DISCUSSION**

As stated above, definite periods of time are established which households are eligible to receive benefits. At the expiration of each certification period, eligibility for food assistance is redetermined based upon a newly completed application or recertification packet, an in-person or phone interview, and such verification as is required. Under no circumstances are benefits continued beyond the end of a certification period without a redetermination of eligibility. DHS asserts that because the Appellant did not return a complete SNAP renewal form to DHS, DHS correctly closed the Appellant's SNAP case on October 31, 2024.

The Appellant testified that she moved numerous times, and she always completes an address change, however she later testified that was unable to update her newest address with DHS. The Appellant did not provide any evidence to show that she informed DHS of her most recent address change and DHS testified that it had not received any change of address forms from the Appellant prior to sending out the Appellant's SNAP renewal form. The Appellant further testified that she spoke to a Medicaid worker over the summer of 2024 who told her that the DHS portal was showing her new address, so the Appellant assumed that DHS updated her mailing address. Because of the Appellant's conflicting testimony as to whether she updated her address, the lack of evidence to show that the Appellant reported her address change to DHS, and because of DHS' testimony that they did not receive any change of address form from the Appellant prior to sending out her SNAP renewal form, the Appellant's testimony is not credible. Because the Appellant's testimony is not credible and because of the lack of evidence to show that the Appellant submitted a change of address form to DHS, it is more likely than not that the Appellant failed to report her address change to DHS.

The Appellant also testified that she attempted to update her address by calling the DHS Call Center and by attempting to log into the DHS Customer Portal, but she was unable to speak to a DHS worker due to long-wait times in the DHS Call Center queue and she was unable to access the DHS Customer Portal. The Appellant testified that because of the issues she encountered with the DHS Call Center and Customer Portal, she was not at fault for failing to return her complete SNAP renewal form before October 31, 2024, because she did not receive it in a timely manner. Despite any challenges in utilizing the DHS Customer Portal or DHS Call Center, it is the Appellant's responsibility to inform DHS of a change in her mailing address to ensure that DHS correspondence arrives in a timely manner. Furthermore, the Appellant conceded in her testimony that she received the SNAP renewal form on October 20, 2024, which gave the Appellant 11 days to send her complete SNAP renewal form to DHS to prevent her SNAP case from closing, and she failed to do so.

To prevent the Appellant's SNAP case from closing on October 31, 2024, the Appellant was required to send in either a complete SNAP application or a complete SNAP renewal form to DHS. DHS mailed both the Notice of Expiration/Renewal Form, Date: September 1, 2025, and the Renewal Reminder/Update - Notice of Adverse Action, Date: October 12, 2025, to the Appellant at her last-known mailing address, which clearly explained how to complete the SNAP renewal form and how to send it back to DHS, as well as the consequences for failing to do so. DHS testified that the Appellant did not submit a SNAP renewal form to DHS and the Appellant did not provide any evidence or testimony to show that she returned either a complete SNAP application or a complete SNAP renewal form to DHS prior to October 31, 2024. Because the Appellant failed to send either a complete SNAP application or a complete SNAP renewal form to DHS prior to the end of her SNAP certification period on October 31, 2024, there is a preponderance of evidence to show that DHS correctly closed the Appellant's SNAP case in compliance with Federal and State Policy.

#### **IX. CONCLUSION OF LAW**

After careful review of the testimony and evidence present at the administrative hearing, this Appeals Officer concludes that:

1. The Appellant failed to report her new mailing address to DHS prior to October 12, 2024.
2. The Appellant did not return a complete SNAP renewal form or SNAP application to DHS prior to the end of her SNAP certification period.
3. A complete application or SNAP renewal packet must be received by DHS prior to the end of the Appellant's SNAP certification period to redetermine her eligibility for SNAP.
4. Under no circumstances are benefits continued beyond the end of a certification period without a redetermination of eligibility.
5. DHS correctly closed the Appellant's SNAP case in compliance with Federal and State Policy.

#### **X. DECISION**

Based on the foregoing findings of fact, conclusions of law, evidence, and testimony it is found that a final order be entered that there is sufficient evidence to support DHS' closure of the Appellant's SNAP case.

**APPEAL DENIED**

/s/ Jack Peloquin

Jack Peloquin

Appeals Officer

**NOTICE OF APPELLATE 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 an 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]; copies were sent, via email, to [REDACTED], Kirsten Cornford, the DHS Appeals Unit at [DHS.Appeals@dhs.ri.gov](mailto:DHS.Appeals@dhs.ri.gov), and the DHS Policy Office at [dhs.policyquestions@dhs.ri.gov](mailto:dhs.policyquestions@dhs.ri.gov) on this 19<sup>th</sup> day of May, 2025.

