

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

V.

DOCKET No. 25-1074

DEPARTMENT OF HUMAN
SERVICES

DECISION

I. INTRODUCTION

A Microsoft Teams hearing on the above-entitled matter was held on June 24, 2025. The Appellant, [REDACTED], declined the option of video. The Appellant initiated this matter to appeal the reduction in her Supplemental Nutrition Assistance Program (SNAP) benefits made by the Department of Human Services (DHS) as outlined in a January 8, 2025, Benefits Decision Notice (BDN). For the reasons discussed in more details 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. General Laws § 42-7.2-6.1 and the Rhode Island Code of Regulations (RICR) 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 210-RICR-10-05-2.

III. ISSUE

The issue before this Appeals Office is whether the reduction in SNAP benefits was done 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, unless otherwise specified, a preponderance of the evidence is generally required to prevail. 2 Richard J. Pierce, *Administrative Law Treaties* § 10.7 (2002) & see *Lyons v. Rhode Island Pub. Employees Council 94*, 559 A.2d 130, 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. 2 Richard J. Pierce, *Administrative Law Treaties* § 10.7 (2002) & see *Lyons v. Rhode Island Pub. Employees Council 94*, 559 A.2d 130, 134 (R.I. 1989). When there is no direct evidence on a particular issue, a fair preponderance of the evidence may be supported by circumstantial evidence. (*Narragansett Electric Co. vs. Carbone*, 898 A.2d 87 (R.I. 2006)).

V. PARTIES AND EXHIBITS

Testifying for DHS was Eligibility Technician III Stephen Gossman (ET Gossman), who presented the following exhibits as evidence:

- Exhibit #1: Appeal received February 26, 2025.
- Exhibit #2: Benefits Decision Notice (BDN) dated January 8, 2025.
- Exhibit #3: Six-month Interim Report (IR) dated November 8, 2024.
- Exhibit #4: Social Security Administration – Retirement, Survivors and Disability Insurance (RSDI) award letter.
- Exhibit #5: Screen shot from DHS eligibility system showing the SNAP decrease.

The Appellant represented herself and testified; she did not submit any evidence.

VI. RELEVANT LAW/REGULATIONS

Supplemental Nutrition Assistance Program (SNAP) benefits are designed for use by participants whose incomes are determined to be a substantial limiting factor in permitting them to obtain a more nutritious diet, according to the Code of Federal Regulations for SNAP, 7 C.F.R. § 273.9 (a).

218-RICR-20-00-1.15 explains how household eligibility and benefit levels are determined. It states that households containing an elderly or disabled member must meet net income eligibility standards 218-RICR-20-00-1.15(A)(2). For Rhode Island, the net income standard is 100 percent of the federal income poverty level. 218-RICR-20-00-1.15(A)(8). That amount for a household of one is \$1,255.00. 218-RICR-20-00-1.15(E)(Table II). The gross income standard is 200 percent for a household with an older adult or someone with a disability. 218-RICR-20-00-1.15(E)(1)(d)&(e). That amount for a household of one is \$2,510.00. 218-RICR-20-00-1.15(E)(Table V).

Deductions and expenses are outlined in 218-RICR-20-00-1.5.7, with deductible expenses including only certain medical, dependent care, and shelter costs.

Similarly, 7 C.F.R. § 273.9 outlines income eligibility standards and deductions, and 7 C.F.R. § 273.10 outlines how household eligibility and benefit levels are determined, both of which echo the state regulations.

VII. FINDINGS OF FACT

1. The Appellant filed an appeal that was received by the Appeals Office on February 26, 2025. As the reason for her appeal, the Appellant wrote: “only receive Social Security disability once a month” and “need to make grocery purchases.”
2. The appeal was filed in response to a January 8, 2025, BDN notifying her that as of February 1, 2025, her SNAP benefits would decrease to \$23.00 a month due to an increase in unearned income. Prior to February 1, 2025, the Appellant received the maximum SNAP amount of \$292.00 per month.

3. As further grounds for her appeal, the Appellant testified at hearing that \$23.00 in SNAP benefits is not enough for food because everything is “expensive.” She did not provide any specific facts to support her argument, nor did she refute the figures or calculations presented by DHS.
4. DHS testified that the Appellant’s SNAP decreased because of her Social Security benefits, whereas before she did not have income and therefore received the maximum SNAP allotment.
5. The Appellant concedes that she does not have shelter expenses that could be applied to her case to potentially increase her SNAP benefit amount.
6. The Appellant began receiving a monthly Retirement, Survivors and Disability Insurance (RSDI) payment of \$1,325.00 on or about September 11, 2024, and reported this change on her IR that was received by DHS on November 27, 2024.
7. DHS testified that the Appellant’s IR was processed late, which was why the benefit decrease occurred in February, and not when it was reported in November. DHS could not provide any information to explain why the IR was processed several months after it was received.
8. The Appellant’s monthly RSDI payment increased to \$1,358.00 in January 2025.
9. DHS testified that the net income limit for SNAP eligibility is \$1,255.00. 218-RICR-20-00-1.15(E)(Table II). DHS further testified that although the Appellant exceeded the net income limit, the Standard Utility Allowance (SUA) brought her net income to \$909.00, making her eligible for the SNAP benefit. The Appellant did not dispute either of these figures.

VIII. DISCUSSION

SNAP is a federal program administered by DHS so that low-income individuals and families have the resources to purchase more nutritious food. Eligibility and benefit amounts are based on income, expenses, and the number of people living in a household.

The Appellant argued that food is expensive and therefore she wants more SNAP benefits. DHS is required to follow federal and state SNAP policy and regulations to determine eligibility, which they did in this case when they reviewed her total income and expenses, such as rent, mortgage, home

insurance, and utilities. While it is certainly difficult to adjust to a reduction in SNAP benefits, an Appeal based on this argument alone is not enough to require an increase in SNAP benefits.

There is no dispute about the Appellant's income, or that she has no expenses. Since the Appellant is now receiving monthly RSDI payments and has no shelter expenses, under the applicable eligibility formula, she would not be entitled to the full SNAP benefit amount she had been receiving and is now requesting on Appeal. Furthermore, because DHS processed the Appellant's IR late, she received the full SNAP benefit for three months more than she should have if her IR were timely processed by DHS.

In this case, the Appellant did not dispute the formula or the figures used by DHS to determine her \$23 SNAP benefit, but claimed only generally that she wanted more SNAP benefits. Therefore, the SNAP benefit reduction is correct.

IX. CONCLUSION OF LAW

After careful review of the testimony and evidence presented at the administrative hearing, this Appeals Officer concludes that DHS correctly determined her SNAP benefit to be \$23 per month when it processed her IR report and added her monthly RSDI payment of \$1,358.00 to her case.

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 the DHS action to decrease the Appellant's SNAP benefit. Therefore, the appeal is denied.

APPEAL DENIED

/s/ Leri Stabile

Lori Stabile

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 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] and the DHS Appeals Unit,

DHS Policy Office and Kirsten Cornford on this 18th day of June.

2025

Amara M. Kendall