

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

[REDACTED] (Appellant)

V.

DOCKET NO: 25-1419

DEPARTMENT OF HUMAN SERVICES
(DHS)

DECISION

I. INTRODUCTION

DHS issued a Benefits Decision Notice (“BDN”) on March 6, 2025, informing the Appellant that on March 31, 2025, Supplemental Nutrition Assistance Program (“SNAP”) benefits were ending. The Appellant initiated this matter to the Executive Hearing Office (“EHO”) on March 27, 2025, to dispute this agency action. An Administrative hearing was conducted on the above-entitled matter via Microsoft Teams on May 19, 2025, the Appellant declined the video option. For the reasons discussed in this decision, the Appellant’s appeal is granted.

II. JURISDICTION

The Executive Office of Health and Human Services (“EOHHS”) is designated by R.I. Gen. Laws § 42-7.2-6.1(2) to be the entity responsible for legal service functions, including appeals and hearings, law interpretation and related duties of itself and four agencies: one of which is DHS. Hearings are held in accordance with the Administrative Procedures Act (R.I. Gen. Laws § 42-35.1 et. seq.).

III. ISSUES

The issue before this Appeals Officer was whether or not the termination of the Appellant's SNAP benefits was made in accordance with regulations.

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. 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

DHS was represented by Supervising Eligibility Technician Lisa Carter. A BDN sent on March 6, 2025, was submitted as evidence and marked as Exhibit 1.

The Appellant appeared and testified on their own behalf. The Appellant presented [REDACTED] ("[REDACTED]") as his witness. The Appellant submitted the following documents, which were marked as exhibits: the Request for Hearing Notice as Exhibit A and the EBT Appeal Notice document with 16 attached pages of documentation as Exhibit B.

VI. RELEVANT LAW/REGULATIONS

R.I. Gen. Laws 40-6 designates DHS as the principal agency of the State responsible to administer SNAP. Federal Regulations are contained in 7 Code of Federal Regulations (“C.F.R.”) Parts 271 through 282. SNAP benefits are processed by DHS based on the household’s information and according to the rules and regulations that govern the program as authorized by the Food and Nutrition Act of 2008 (as amended through Pub. Law 116-94). SNAP regulations in Rhode Island are conducted in accordance with Rhode Island Code of Regulations (“RICR”) 218-RICR-20-00-1.

Per SNAP regulations 218-RICR-20-00-1.13.1(D) the Agency is required to take prompt action on all changes of which it becomes aware to determine if the change affects the household’s eligibility or allotment. The Agency shall act on changes 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. If the household becomes ineligible as a result of the change, the Agency must issue a notice of adverse action within 10 days of the date the change was reported.

DHS matches various databases, including those provided through the Federal Data Hub to verify eligibility for, and the amount of, benefits due to a household or individual for Medicaid, the Rhode Island Works Program, General Public Assistance, Child Care Assistance Program and SNAP through the state’s electronic eligibility system, known as RIBridges. The RIBridges system compares benefit information and other data with the DHS applicant or recipient by social security number for purposes of identifying unreported information. The process of matching databases is considered an interface; an interface match occurs when an applicant’s or recipient’s SSN exists in both databases. (218-RICR-10-00-1.3A).

The agency must pursue clarification and verification (if applicable) of household circumstances from which the agency cannot readily determine the effect on the household's continued eligibility for SNAP, or in certain cases, benefit amounts. The agency may receive such unclear information from a third (3rd) party. a. Unclear information is information that is not verified but the agency needs additional information to act on the change such as electronic data matches that are not considered to be verified upon receipt. 2. The agency must pursue clarification and verification (if applicable) of household circumstances if unclear information is: a. Fewer than sixty (60) days old relative to the current month of participation; and would, if accurate, have been required to be reported under § 1.13.1 of this Part based on the reporting system to which the household has been assigned; or b. The information appears to present significantly conflicting information from that used by the agency at the time of certification. 3. The agency shall issue a written request for documentation that advised the household of the verification it must provide or the actions it must take to clarify its circumstances, which affords the household at least ten (10) days to respond. (218-RICR-20-00-1.13.1(E)).

Per both state and federal regulations, when an appeal request is received by DHS, the household is to be informed of the agency option for hearing its complaint of an "Agency Conference." A discussion of the disputed issue(s) can be arranged between the household and an agency representative. If the household prefers, an Adjustment Conference may be arranged with an agency representative. This is an informal hearing in which a household has an opportunity to state its dissatisfaction with the agency action. The agency representative presents the facts upon which the action was based. The designated agency representative determines whether or not the staff decision was made in accordance with appropriate policy. (7 C.F.R. 273.15(d) and 218-RICR-20-00-1.23(B)).

Per 210-30-00-3.1.9(A)(1) and under current State and Federal laws Medicaid agencies are required to assist applicants in completing all necessary forms and it is the right of the Applicant to obtain help in completing these forms.

VII. FINDINGS OF FACTS

1. The Appellant reported into a DHS office on March 6, 2025, to inquire about help for payment of a medical bill.
2. The Appellant was active on SNAP benefits at the time.
3. DHS staff instructed the Appellant to complete a DHS2 application, answering only the questions for EAD Medicaid and ignoring the SNAP/EBT questions.
4. The application in question was not submitted in DHS's evidence, nor was any case notes that documented his visit at the DHS office on March 6, 2025.
5. A DHS2 application instructs:
 - i. The letter boxes next to each program are used to identify questions needed to be answered to be considered for the specific program.
 - ii. Answer only those questions for the program you want to apply for.
 - iii. SNAP applicants are instructed to list yourself and everyone who lives in your home now, even if they do not want assistance.
 - iv. Health Coverage applicants are instructed to include yourself, other family members, and anyone who is included on your federal tax return, if you file one.
6. The Appellant's witness confirmed he resides in [REDACTED]; he purchases and prepares his own food; he has resided there since 2023.

7. The Appellant is married and files taxes with his spouse [REDACTED] and their adult child. [REDACTED] and the child live at [REDACTED], which is the address used for tax purposes.

8. The Appellant included his spouse, his child and himself as household members on his Medicaid application and listed the tax address as the residence address.

9. DHS processed the Medicaid application thru RI Bridges.

10. [REDACTED] and his adult child were added as household members to his active SNAP case. [REDACTED] income was known to the RI Bridges system and was imported into the case which resulted in a denial of SNAP benefits for the household being over the income limit.

11. The details of [REDACTED] income were not provided by DHS.

12. The Appellant was informed of these actions in the BDN sent on March 6, 2025.

13. The Appellant submitted a request for an Administrative hearing on March 27, 2025.

14. The Appellant wrote in his appeal request that the information entered by DHS was inaccurate and that he did not believe the Medicaid only application should have been used to determine his SNAP benefits.

15. The Appellant did request that benefits continue unchanged while he waited for a hearing decision. This aid pending request was not granted by DHS as he was ineligible for continued benefits due to the Appeal request being filed more than 10 days after the BDN was issued.

16. Per request of the Appellant, the EHO sent an informal resolution request to DHS on March 27, 2025. DHS responded on March 28, 2025, and stated that the case was pending FLEX and proof of income.

17. In a pre-hearing conference, the issue under appeal was clarified, the Appellant explained his living situation; DHS chose to uphold their decision.

VIII. DISCUSSION

DHS maintained that SNAP benefits were processed in compliance with 218-RICR-20-00-1.15, the SNAP policy regarding determining household eligibility and benefit levels as cited on the BDN. DHS's position is that they utilize one integrated eligibility system, RI Bridges. They processed the application thru this system, and changes reported on the Medicaid application had to be processed and applied to the Appellant's active SNAP case. DHS matched the spouse's information with her income which was already verified in RI Bridges, and the total household income caused the termination of SNAP for the entire household.

DHS was aware the Appellant disagreed with the changes made to the SNAP benefits. The Appellant requested an informal resolution prior to the hearing, but DHS did not address SNAP benefits in their response. Instead, their response was regarding a FLEX for Health Coverage. At the hearing, DHS confirmed that on May 12, 2025, they received the clarifying information of the Appellant several addresses and that he was in a sober house. After reviewing those documents and the clarification from the Appellant in the pre-hearing, DHS still maintained they made a correct decision. Their position was that these changes were according to policy, and he could reapply for SNAP benefits with the corrected information.

The Appellant provided credible testimony that was consistent with the evidence that he submitted. A witness also testified on his behalf, who verified his living situation, which is the center of this dispute. The Appellant stated he followed the instructions given, which in review of the application, it was found that it does instruct an applicant to only list one's tax household

composition on a Medicaid application. Also, the fact that his testimony was undisputed by DHS gives more weight to his rendition of the events in this matter.

The Appellant's dispute was that he applied for Medicaid, followed DHS's instructions and answered only the Medicaid questions, but changes were applied to his active SNAP benefits. The Appellant testified he reported into DHS with questions regarding payment for a medical bill. DHS staff told him to complete the application and answer only the questions that were required for Health Coverage and to ignore the SNAP questions, these statements were not disputed by DHS. DHS has an obligation to assist the Appellant in completing the application process, they also have an obligation to provide applicants with correct information and instructions.

Regulations state that when unclear information is received DHS must pursue clarification of the household circumstances from which it cannot readily determine the effect on the household's continued eligibility for SNAP. This regulation was not raised by DHS at the hearing. Unclear information is defined by regulations as information that is fewer than 60 days old relative to the current month or if the information appears to significantly conflict with the information used by DHS at the time of certification. In such instances, DHS is required to issue a written request for documentation to the household which advises of the verification needed or the actions that must be taken to clarify its circumstances.

The Appellant was receiving SNAP benefits for a household of one, with income that was below the income guidelines as the Appellant was eligible for SNAP benefits. The changes reported on the Medicaid application added two household members and an additional source of household income. This additional income put the household over the income limits for SNAP benefits and should have been viewed by DHS as a "significant change" as it varied greatly from

the information that was used to certify the household for SNAP. Also, the pay dates of the income used by DHS for Miriam was not provided, therefore it is unknown if the information was fewer than 60 days old. The record is void of any such request for documentation to verify this unclear change in circumstance.

The Appellant followed the instructions provided to him from the DHS staff, and on the DIIS2 application. He answered only the Medicaid questions, which included his household composition for tax purposes, as instructed. The information significantly conflicted with the information used to certify the Appellant for SNAP and should have been viewed as “unclear” to DHS staff that processed it. Policy states that when unclear information is received, they must take additional steps to determine continued eligibility for SNAP, which was not done.

The Appellant attempted to correct the incorrect information, but his attempts were unsuccessful. First in his informal resolution request, then in the memo he sent in his evidence and finally at the pre-hearing conference. DHS failed to determine the new information received on the Medicaid application, was unclear and that further information was needed for continued SNAP eligibility. Therefore, instead of requesting further documentation from the household, they terminated SNAP benefits. DHS’s decision in this matter was not according to SNAP policy.

IX. CONCLUSION OF LAW

After review of the Administrative record, I conclude the following reasons for the decision rendered:

The information reported on the Medicaid application was unclear according to SNAP policy as it significantly conflicted with the information used by DHS at the time the Appellant

was certified for SNAP, and it was unknown if the spouse's income information was fewer than 60 days old.

DHS did not question this information, nor did they issue a written request for documentation that advised the household of the verification it must provide or the action that must be taken to clarify its circumstances according to 218-RICR-20-00-1.13.1(E).

X. DECISION

Based on the foregoing Findings of Facts, Conclusion of Law, and testimony it is ordered that this appeal is granted, as DHS's decision was not according to SNAP regulations therefore, it is overturned.

DHS is ordered to restore SNAP benefits back to their original status prior to the closure date of April 1, 2025, and issue any benefits owed forthwith.

If additional information is needed by DHS to determine ongoing eligibility of SNAP benefits, DHS must issue a written request for documentation that advises the household of the verification it must provide or the action that must be taken to clarify its circumstances according to 218-RICR-20-00-1.13.1(E).

/s/Holly Young | Appeals Officer | Executive Office of Health and Human Services

NOTICE OF APPELLANT RIGHTS

This Final Order constitutes a final order of the Departments of Human Services pursuant to the RI General Laws §42-15-12. Pursuant to RI General Laws §43.35.15, 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

_____ and via email to

_____ ; copies were sent electronically to Agency representatives of the DHS policy unit, Kirsten Comford, Lisa Carter, Katie Costa and Denise Tatro. On this 17th day of June, 2025.

Robert Hall