

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

[REDACTED]

V.

DOCKET No.

25-2784

Department of Human Services

DECISION

INTRODUCTION

The Appellant, [REDACTED], initiated this matter to appeal the Rhode Island Works and Supplemental Nutrition Assistance Program (SNAP) benefit decreases made by the Department of Human Services (DHS). A Microsoft Teams hearing in this matter occurred on August 19, 2025, at 11:00 AM. The Appellant did not elect the option of a video hearing. For the reasons discussed in more detail below, the Appellant's appeal is denied.

JURISDICTION

The Executive Office of Health and Human Services is authorized and designated by R.I.G.L. § 42-7.2-6.1 and 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 210-RICR-10-05-2 and the Administrative Procedures Act (R.I.G.L. § 42-35-1 et. seq.).

ISSUE

The issues are whether the decrease in Rhode Island Works and SNAP benefits were done in compliance with federal and state regulations.

STANDARD OF PROOF

It is well settled that in adjudications modeled on the Federal Administrative Procedures Act, a preponderance of the evidence is required to prevail. This means that for each element to be proven, the factfinder must believe that the facts asserted 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).

PARTIES AND EXHIBITS

DHS Eligibility Technician III Brandon Klibanoff and the Appellant attended the hearing. The following exhibits were presented as evidence:

- Printout of the Rhode Island Works – Income Budget screen for July 2025.
- Printout of the SNAP – Gross Income screen for July 2025.
- Printout of the SNAP – Net Income/Benefit Calculation screen for July 2025.
- Proof of the Appellant's two child support payments.
- Three paystubs for the Appellant's position at [REDACTED].
- Three paystubs for the Appellant's position at [REDACTED].

RELEVANT LAW/REGULATIONS

Rhode Island Works

For a household to be eligible for Rhode Island Works, the household's gross income, after any deductions, needs to be below the maximum Rhode Island Works benefit amount for that household size. R.I.G.L. § 40-5.2-9(h) & 218-RICR-20-00-2.1.3(B). The amount of benefits the household receives, if eligible, is the maximum for that household size minus, dollar for dollar, any countable income. R.I.G.L. § 40-5.2-11(c). The maximum Rhode Island Works benefits for a household of three is \$865 a month. R.I.G.L. § 40-5.2-11 & 218-RICR-20-00-2.18.1(B).

Gross income includes all sources of income being received or potentially available to the household except those sources specifically excluded. 218-RICR-20-00-2.15.1(A). Countable income includes wages from working and child support paid directly to the household. 218-RICR-20-00-2.15.4(B) & see 218-RICR-20-00-2.15.7.

There is an earned income deduction for Rhode Island Works. The first \$525 of gross wages is excluded. After the \$525 is excluded, ½ of the remaining gross earned income is then excluded. R.I.G.L. § 40-5.2-10(g)(2) & 218-RICR-20-00-2.15.3(E).

There is a child support deduction for Rhode Island Works. This deducts the first \$50 of child support for the initial month of eligibility income calculation. After the initial month of eligibility, the child support must be turned over to the Office of Child Support Services. When turned over to the Office of Child Support Services, the household will be given the first \$50 of child support which does not count for Rhode Island Works. See 218-RICR-20-00-2.15.7.

Supplemental Nutrition Assistance Program

When determining eligibility for SNAP, the household's income must be determined. For SNAP, this includes earned income, Rhode Island Works payments, and child support payments. 218-RICR-20-00-1.5.2(A)(1)(a)(1), (A)(2)(a)(1)(aa), & (A)(2)(a)(3).

Once the gross income is determined, several deductions are applied. The first deduction is 20% of the earned income is deducted to account for taxes and fees. 218-RICR-20-00-1.5.7(A)(6)(a)(1). Second, a standard deduction is applied. For a household of three, this amounts to \$204.00. 218-RICR-20-00-1.5.7(A)(6)(b)(2).

Third, excess shelter costs are deducted. This consists of taking the gross income less the above deductions and dividing it in half. The amount of shelter costs that exceeds half of the countable income is excluded, up to \$712. If the household pays a utility cost, a standard utility allowance of \$822 is used regardless of the actual cost of utilities. 218-RICR-20-00-1.5.7 (A)(6)(e)(2) & 218-RICR-20-00-1.15(D)(1)(f & g).

After all the deductions are applied, the remaining amount is the countable net income for the household. This net income figure is then used to calculate the SNAP benefit amount. The benefit amount is the maximum allowed for the household size less 30% of the net income. 218-RICR-20-00-1.15.1(D)(2). For a household of three, the maximum SNAP allotment is \$768. 218-RICR-20-00-1.15.1(D)(4)(d).

OBJECTIONS AND MOTIONS

No objections or motions were made.

FINDINGS OF FACT

1. The Appellant was approved for Rhode Island Works and SNAP. The Appellant's household is a household of three.

2. Initially DHS did not enter any income for the Appellant. This resulted in the Appellant being awarded higher amounts of Rhode Island Works and SNAP benefits.
3. DHS updated the Appellant's case with her income. This resulted in decreases of both Rhode Island Works and SNAP benefits.
4. DHS has the Appellant's income as follows:
 - a. An average of \$1,014 a month from [REDACTED].
 - b. An average of \$507 a month from [REDACTED].
 - c. \$190 a month in child support.
 - d. \$177 a month in Rhode Island Works benefits.
5. For Rhode Island Works, \$498 of earned income was counted after the earned income disregard. In addition, \$190 of child support was counted resulting in a total countable income of \$688.
6. For SNAP, DHS used \$1,895 for the Appellant's housing expenses (i.e., rent) and a standard utility allowance of \$822.

DISCUSSION

The Appellant's Rhode Island Works and SNAP benefits were reduced because DHS applied her earned income to the case. For both programs, the earned income of the Appellant is countable.

Rhode Island Works

DHS was correct in adding the Appellant's income and reducing the benefit amount. DHS averaged the Appellant's monthly income at \$1,520.99 a month. Upon reviewing the paystubs provided, the amount used by DHS when calculating the Appellant's benefits is an accurate average of the Appellant's income. Furthermore, DHS correctly applied the earned income disregard when determining the countable earned income amount of \$498 (i.e., $(\$1,520.99 \text{ income} - \$525 \text{ disregard}) / 2 = \498.00).

DHS then added \$190 of child support to the household's income, which is the correct amount of child support being received based on the receipts provided by DHS. Since the child support is being paid

directly to the household and it is beyond the initial month of eligibility, the entire child support income is countable as income. DHS correctly added the child support to the Appellant's countable earned income for a total countable income of \$688.

The benefit amount for a household of three is a maximum of \$865.00. From this maximum the household's countable income of \$688.00 is deducted resulting in a monthly Rhode Island Works benefit amount of \$177.00. Again, this was correctly calculated by DHS.

Supplemental Nutrition Assistance Program

To calculate the correct amount of the Appellant's SNAP benefits, there first needs to be a determination of how much gross income the household makes. DHS used an average of \$1,521 of earned income from the Appellant's two jobs, \$177 in Rhode Island Works benefits, and a total of \$190 in child support. All these sources are countable for SNAP and the figures used by DHS are supported by the various documents provided into evidence.

After the gross income is determined, several deductions are applied. These include a twenty percent earned income disregard and a \$204 standard deduction. Both deductions were calculated correctly by DHS and included in figuring the SNAP benefit amount. After these two deductions, the Appellant's countable income is \$1,379.80.

An excess shelter deduction was then calculated correctly by DHS. The Appellant's shelter costs consist of \$1,895 of rent and a standard utility allowance of \$822 for a total of \$2,717. The \$2,717 is then reduced by half of the Appellant's countable income (i.e., $\$1,379.80/2$), which amounts to \$689.90. This results in an excessive shelter allowance of the \$712 maximum, as the Appellant's excess shelter costs exceeded the maximum allowed. After all these deductions were correctly applied, the Appellant had \$667.80 of countable income for SNAP.

Thirty percent of the countable income is then subtracted from the maximum allotment for the household. The amount subtracted in this case was \$201, after rounding. Subtracting this from the

maximum benefit amount of \$768 yields a total of \$567. Again, a review of the math shows that this benefit amount was calculated correctly.

CONCLUSION OF LAW

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

1. The Appellant's Rhode Island Works benefit amount is correct.
2. The Appellant's SNAP benefit amount is correct.

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 appellant's decrease in Rhode Island Works and SNAP benefits.

APPEAL DENIED

/s/ Shawn J. Masse

Shawn J. Masse

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] a [REDACTED], Brandon Klibanoff, Laura Larrivee, Kirsten Cornford, the DHS Appeals Unit, and the DHS Policy Unit on this 21st day of August, 2025.


