

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

[REDACTED]

V.

DOCKET No. 25-3946

DEPARTMENT OF HUMAN
SERVICES

DECISION

I. INTRODUCTION

A Microsoft Teams hearing on the above-entitled matter was held on September 23, 2025, where the Appellant, [REDACTED], declined the option of a video hearing. The Appellant initiated this matter to appeal the Supplemental Nutrition Assistance Program (SNAP) denial made by the Department of Human Services (DHS).

DHS denied the Appellant's SNAP application, stating he is an ineligible student. For the reasons discussed in more details below, the Appellant's appeal is denied.

II. JURISDICTION

The Executive Office of Health and Human Services 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 SNAP denial 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. 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 Brandon Klibanoff. The record was held open until October 6, 2025, at 4 p.m., for both parties to submit additional evidence. The Appellant, who requested to be able to provide his college transcript after the hearing, did not provide it.

The following exhibits were presented as evidence:

- DHS Exhibits:
 - Exhibit #1: DHS-2 application dated July 9, 2025.
 - Exhibit #2: Benefits Decision Notice (BDN) dated July 16, 2025.
 - Exhibit #3: Case Notes and Employment Letter dated August 1, 2025.
- Appellant Exhibits:
 - Exhibit #1: Employment Letter dated August 1, 2025.
 - Exhibit #2: Appeal dated August 22, 2025.

VI. RELEVANT LAW/REGULATIONS

According to SNAP regulations, an individual who is enrolled at least half-time in an institution of higher education shall be ineligible to participate in SNAP unless the individual qualifies for an exemption. 218-RICR-20-00-1.2.4(B)

To be eligible to participate in SNAP, any student must meet at least one of the following criteria, as outlined in 218-RICR-20-00-1.4.13(A) including:

- Be under the age of 18 or over the age of 50,
- Not being physically or mentally fit,
- Being employed and paid for an average of 20 hours per week over the period of a month and receiving weekly earnings at least equal to 20 hours at the Federal minimum wage,
- Receiving RI Works,
- Being responsible for the care of a child under 6,
- Being enrolled full-time in an institution of higher education as a single parent while responsible for the care of a dependent child under age 12 (regardless of the availability of childcare),
- Participating in a state or federally financed work study program during the regular school year.

VII. FINDINGS OF FACT

1. The Appellant applied for SNAP and Medical Assistance on July 9, 2025.
2. The Appellant is a full-time student at [REDACTED].
3. The Appellant left the income section of the application blank regarding current, prior and self-employment income.
4. The Appellant did not inform the Eligibility Technician (ET) who interviewed him on July 11, 2025, or again on July 16, 2025, that he was working.

5. The ET wrote in his case note on July 16, 2025: "Client reports no employment."
6. The application clearly states "You have a RESPONSIBILITY to supply the Department with accurate information about your income, resources and living arrangements. You have a RESPONSIBILITY to tell us immediately (within ten (10) days) of any changes in your income, resources, family composition, or any other changes that affect your household."
7. The application was signed by the Appellant under the penalty of perjury, certifying that the answers were correct and complete to the best of his knowledge.
8. A BDN was issued on July 16, 2025, denying the Appellant SNAP as of July 9, 2025, for being an ineligible student. It states: "If you take the required action before the 30th day from date of this notice we will reconsider your application. You will have to complete another application if you do not take this action by this date."
9. The Appellant provided a letter dated August 1, 2025, to DHS on August 26, 2025, from [REDACTED], registered accountant, stating that the Appellant "is presently employed from July 7, 2025- current" and earns a weekly gross income of \$180 and "is guaranteed to work 20 hours per week." The same letter was provided to the EOHHS Appeals Office as part of the Appellant's appeal on August 22, 2025.
10. DHS maintains that the denial was correct because no information regarding employment was provided by the Appellant on the application, or during either interview with the ET.
11. College students can be eligible for SNAP if they are employed and paid for an average of 20 hours per week over the period of a month and receiving weekly earnings at least equal to 20 hours at the Federal minimum wage. 218-RICR-20-00-1.4.13(A).
12. The Appellant testified he received a request for income verification specifically for Medicaid, with the information due August 15, 2025. The Appellant testified that he opted to withdraw the Medicaid portion of the application, and therefore did not need to provide the self-employment income that was requested.

13. The Appellant testified he sought a part-time job of 20 hours a week that would work with his school schedule in his explanation about the accountant's office position.

VIII. DISCUSSION

It is unclear why, if the Appellant were working for an accountant's office, he would leave the employment section of the DHS-2 application blank, and also fail to mention that he was working to the ET who interviewed him twice about the application he submitted for SNAP and for Medical Assistance. The ET wrote in his case note on July 16, 2025: "Client reports no employment."

DHS renders eligibility decisions based on the information that is provided to it. In this case, DHS' denial of SNAP was correct because given the information it had at the time, there was no proof that the Appellant, as a full-time college student, met any of the exemptions that would allow him to be eligible for SNAP.

While the employment letter was later provided, its presence is moot, given that it was submitted to DHS on August 26, 2025, which is more than 30 days past the July 16, 2025, BDN notifying the Appellant of the denial.

IX. CONCLUSION OF LAW

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

1. The Appellant left the income section regarding current, prior and self-employment income blank on the application for SNAP and Medical Assistance that he submitted on July 9, 2025.
2. The Appellant did not disclose any employment to the ET who interviewed him twice regarding his application for assistance.
3. The Appellant did not meet any of the exemptions to qualify for SNAP as a full-time college student at the time of his application or during his two interviews.

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' denial of the Appellant's SNAP application.

APPEAL DENIED

Lori 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]

[REDACTED] the DHS Appeals Unit, the DHS Policy Unit, and Kirsten

Cornford on this 8th day of October, 2025.

