

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

DEPARTMENT OF HUMAN SERVICES

v.

DOCKET NO. 26-0692

██████████

DECISION

I. INTRODUCTION

A Microsoft Teams hearing on the above-entitled matter was conducted by an Administrative Disqualification Officer on March 10, 2026. The Department of Administration, Office of Internal Audit, Fraud Unit (Agency) on behalf of the RI Department of Human Services (DHS) initiated this matter for an Administrative Disqualification Hearing to examine the charge that ██████████ (Respondent) committed an Intentional Program Violation (IPV) of the Supplemental Nutrition Assistance Program (SNAP). The Agency argues that the Respondent did not accurately report the household income. The Agency is seeking that the Respondent be charged with an IPV for the period of August 11, 2022, through April 30, 2023, and be disqualified from SNAP for a period of twelve months. For the reasons discussed in more detail below, the Administrative Disqualification Hearing has been decided in the Agency's favor.

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

The issue is whether the Respondent committed a SNAP IPV by intentionally making a false statement, or by misrepresenting, concealing, or withholding facts to receive SNAP benefits she was not entitled to, in accordance with Federal and Departmental Policy as set forth below.

IV. STANDARD OF PROOF

The Administrative Disqualification Hearing Officer is required to carefully consider the evidence and determine by clear and convincing evidence if an IPV occurred. The Agency's burden to support claims with clear and convincing evidence requires that they present clear, direct, and convincing facts that the Hearing Officer can accept as highly probable.

V. PARTIES AND EXHIBITS

Present for the Agency was Fraud Internal Auditor Brittny Mederios (Auditor Mederios), who investigated the Respondent's SNAP case, and provided testimony based on the facts established in determining an IPV of the SNAP regulations. The Agency offered the following evidence as exhibits at the hearing:

- Exhibit #1: Cited excerpts from the RI Code of Regulations for SNAP 218-RICR-20-00-1.9(C).
- Exhibit #2: The employment and wage verification record for [REDACTED].

- Exhibit #3: The employment and wage verification for [REDACTED].
- Exhibit #4: SNAP Recertification/ Renewal Notice signed March 10, 2022.
- Exhibit #5: Benefits Decision Notice (BDN) dated April 29, 2022.
- Exhibit #6: SNAP Interim Report (Interim) signed October 13, 2022.
- Exhibit #7: Self Service Renew My Benefits electronically signed April 5, 2023.
- Exhibit #8: BDN dated April 6, 2023.
- Exhibit #9: Electronic Disqualified Recipient system (eDRS) stating no previous SNAP disqualification for the Respondent.
- Exhibit #10: An Important SNAP Notice (SNAP Packet) dated January 8, 2026, mailed to the Respondent's address of record at [REDACTED]
[REDACTED].
- Exhibit #11: Email correspondence from Auditor Mederios to the Respondent.

The Respondent, [REDACTED], did not attend the hearing. In accordance with 7 CFR 273.16(e)(4) and 218-RICR-20-00-1, Section 1.22K(13), the hearing was conducted without the Respondent present or represented.

VI. RELEVANT LAW and/or REGULATIONS

7 C.F.R. §273.16, entitled “Disqualification for Intentional Program Violation (IPV)” (c), defines an IPV as intentionally making a false or misleading statement, or misrepresenting, concealing, or withholding facts; or committing any act that constitutes a violation of SNAP, SNAP regulations, or any State statute “for the purpose of using, presenting, transferring, acquiring, receiving, possessing or trafficking of SNAP benefits or EBT cards.” To determine whether an IPV has occurred, 7 C.F.R. §273.16(e)(6), requires the State Agency to conduct an

administrative disqualification hearing and to determine whether there is clear and convincing evidence that an IPV occurred.

Similarly, the Rhode Island regulation 218-RICR-20-00-1 §1.9, entitled “Intentional Program Violations” (A) provides that the Office of Internal Audit is responsible for investigating any case of alleged IPV and ensuring the appropriate cases are acted upon through an Administrative Disqualification Hearings whenever there is sufficient documentary evidence to substantiate that an individual has committed an IPV. Like its federal counterpart, the R.I regulation §1.9(B) requires that “clear and convincing evidence” demonstrates that the household member(s) committed or intended to commit an IPV, as defined in §1.9(C).

SNAP regulation 218-RICR-20-00-1 § 1.5.2(A) states in pertinent part, household income means all income from whatever source which includes unearned income.

Per Rhode Island regulation 218-RICR-20-00-1 §1.9(A)(3)(c)(1), and Federal Regulation 7 C.F.R. §273.16(b)(1)(i), if there is a finding that an IPV occurred, the disqualification penalty for the first violation is one (1) year.

VII. FINDINGS OF FACT

1. The Agency received a referral from DHS on April 6, 2023, alleging that the Respondent received SNAP benefits while failing to report his correct household income. As a result, an investigation commenced into the Respondent’s SNAP case.

2. The employment and wage verification form shows that the Respondent was hired at [REDACTED] on July 10, 2022, and he received weekly wages from July 22, 2022, through January 13, 2023.

3. The employment and wage verification form also shows that the Respondent was hired at [REDACTED] on January 13, 2023, and his gross pay for pay date February 10, 2023,

was \$1,451.66 which was over the Federal Poverty Limit (FPL) of \$1,396 for a household of one.

4. On March 14, 2022, DHS received the Respondent's SNAP recertification. Page 4 lists the Respondent as the household member who is recertifying for SNAP benefits. Page 5 seeks information about income, but that section is left blank. Page 6 asks about unemployment insurance benefits and if the information below is correct the Respondent checks "no". On page 9 the Respondent signs under penalty of perjury that his answers were complete and true, and that if he failed to provide complete and true answers, he would be breaking the law and would be subject to penalty by signing on the applicant or recipient line. The SNAP recertification form is signed March 10, 2022

5. A BDN dated April 29, 2022, was mailed to the Respondent stating his SNAP benefits had changed effectively May 1, 2022. Page 2 informs him of the SNAP benefit amount for his household and eligibility period and the "Changes You Must Report for SNAP: You must tell us if your household's gross monthly income (before taxes) is more than \$1,396. You must tell us no later than 10 days after the end of the month when your income went up." Pages 3 through 9 explains his RIGHTS and RESPONSIBILITIES, Specifically, "you have the responsibility to supply accurate information about your income, resources and living arrangements on this application." In the month of July 2022, according to the employment wage and payment verification form, the Respondent's gross income from [REDACTED] was \$2,880. The Appellant was required to report this income to DHS by August 10, 2022, but he did not.

6. On October 17, 2022, DHS received the Respondent's SNAP interim report. Page 3 has a section entitled "Job Income" and asks, "do these people still have the following job income" the Respondent checks "no". The Respondent signed the SNAP interim report form on

October 13, 2022.

7. On April 5, 2023, DHS received the Respondent's online SNAP recert. Page 21 has a section entitled "income information" the section asks for current employment which the Respondent did not update. The Respondent failed to include the employment and income with [REDACTED]. The SNAP recert was electronically signed on April 5, 2023.

8. A BDN dated April 6, 2023, was mailed to the Respondent stating his SNAP benefits ended on November 30, 2022, and the reason why was the household income exceeded the limit for the SNAP program. Page 3 through 9 explains his RIGHTS, RESPONSIBILITIES, and the SNAP PENALTY WARNINGS. Specifically, "you have the responsibility to supply accurate information about your income, resources and living arrangement on this application. In the month of February according to the employment verification form the Respondent's gross income from [REDACTED] was \$1,451 which was over the FPL of \$1,396 for a household of one.

9. On January 6, 2026, the Agency logged into eDRS to determine the Respondent's SNAP disqualification period. The query shows the Respondent had no previous disqualifications. Therefore, this is the Respondent's first violation, and the Agency is pursuing a 12-month disqualification from SNAP.

10. A SNAP Packet dated January 8, 2026, was mailed to the Respondent at [REDACTED]. The SNAP Packet states that the Respondent is being charged with committing an IPV for the period of August 11, 2022, through April 30, 2023, because of "Unreported Earned Income".

11. On January 23, 2026, Auditor Mederios reached out to the Respondent by email to inform him that a SNAP notice had been mailed to his address of record and that a response was

due by January 18, 2026. Auditor Mederios also informed the Respondent that the case would be referred for an Administrative Disqualification Hearing if there was no response by close of business on January 26, 2026.

12. On February 3, 2026, an Advanced Notice of Administrative Disqualification Hearing (RIFS-121C) was sent by first class mail to the Respondent's address of record, [REDACTED]. The notice stated that the hearing was scheduled for March 10, 2026, at 9:00 AM. In accordance with 7 C.F.R. § 273.16(e)(3) and 218-RICR-20-001 § 1.23(K)(6), EOHHS provided at least thirty (30) days advance notice, in writing of the scheduling of the disqualification hearing, and the hearing was held accordingly.

VIII. DISCUSSION

The Agency maintains that the Respondent was repeatedly informed of his duty to report his income. Specifically, he failed to report his employment on both of his SNAP recertifications and interim report despite knowing his Right and Responsibilities and the penalties of perjury. The BDN also clearly informed him of the income reporting requirements and his Rights and Responsibilities. The Agency argues the Respondent intentionally provided false information, concealed information, and otherwise failed to report his household income. Therefore, the Agency's position is clear, the Respondent committed an IPV from August 11, 2022, through April 30, 2023, which is the last month the Respondent received earned income. Thereby, he should be disqualified for SNAP for a period of twelve months.

The record consists of the evidence and testimony from the Agency. The evidence establishes that the Respondent's signed SNAP recert on March 10, 2022, informed the Respondent of his Rights, Responsibilities and the SNAP Penalty Warnings. The BDN dated April 29, 2022, also informed the Respondent that for SNAP he "must tell us if your household's

gross monthly income (before taxes) changes. You must tell us no later than 10 days after the end of the month when your income went up.” The employment and wage verification shows that the Respondent started receiving income from [REDACTED] on July 22, 2022, and he was paid \$720 weekly. The Respondent did not report this income to DHS.

DHS then received the Respondent’s completed SNAP interim report on October 17, 2022. The SNAP interim report clearly asks the Respondent to tell DHS if a household member changed, started, or ended a job and if it led to a change in income. The Respondent reported no changes on the interim report. The Respondent signed the SNAP interim report attesting under penalty of perjury that his answers on the report were correct and complete to the best of his knowledge.

Therefore, the Respondent intentionally provided false information, concealed information, and otherwise intentionally failed to report his correct household income. Accordingly, there is clear and convincing evidence that the Respondent committed an IPV on August 11, 2022, and continued through April 30, 2023.

IX. CONCLUSIONS OF LAW

After careful review of the testimony and evidence presented at the administrative disqualification hearing it is clear:

1. The Respondent was aware of the Reporting requirements, his Rights, Responsibilities, and the SNAP Penalty Warnings when he submitted both his SNAP recert on March 10, 2022, and his SNAP interim report on October 17, 2022.

2. The Respondent signed under the Penalties of Perjury statement attesting that his answers on the forms were correct and complete to the best of his knowledge. The Respondent, however failed to report his household's earned income to DHS on his October 17, 2022, SNAP

interim report.

3. The Agency has demonstrated by clear and convincing evidence that the Respondent knowingly failed to report his household earned income. Therefore, the Respondent intentionally misrepresented, concealed, or withheld facts pertinent to his SNAP case.

4. The Agency has demonstrated by clear and convincing evidence that the respondent committed an IPV of the SNAP regulations from August 11, 2022, through April 30, 2023, based on unreported earned income.

5. Consequently, the Respondent as head of household, will not be able to participate in SNAP for twelve months per 7 C.F. R § 273.16(B)(1)(I) and 218-RICR-20-00-1 § 1.9(A)(3)(C)(1), as this is the Respondent's first IPV.

X. DECISION

Based on the foregoing findings of facts and conclusions of law, it is found that a final order be entered that the Agency's request for an IPV against the Respondent for twelve (12) months is granted.

AGENCY'S INTENTIONAL PROGRAM VIOLATION CHARGE IS GRANTED

/s/ Velmont Richardson

Administrative Disqualification Hearing Officer

NOTICE OF APPELLATE RIGHTS

This decision is a final order under R.I.G.L. § 42-35-12. Under R.I.G.L. § 42-35-15, this Order may be appealed to court within thirty (30) days of the mailing of this decision. Such appeal, if taken, must be completed by filing a complaint in 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.

Appeals are generally filed in the Providence County Superior Court. However, appeals affecting or concerning children under the age of eighteen (18) and/or appeals of a DCYF action may need to be filed in Providence Family Court. If you have any questions about which court a complaint for appeal should be made, you should seek the advice of an attorney, Rhode Island Legal Services, or the clerk of the court where you wish to file your appeal. The courts' contact information can be found on the judiciary's website (<https://www.courts.ri.gov>). Copies of the appeal must be served upon all parties in your case within ten (10) days of the filing of your appeal.

If you exercise any of these appellate rights, please inform the EOHHS appeals office of this so we can prepare a copy of the record for the court. You can contact the Appeals Office at OHHS.AppealsOffice@ohhs.ri.gov, 401.462.2132 (Phone), 401.462.0458 (Fax), or at 3 West Road, Virks Building, Cranston, RI 02908.

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 Brittny Mederios, Kimberly Seebeck, Iwona Ramian, Esq., and to DHS Representatives Denise Tatro, Kimberly Rauch, Jenna Simeone, Kirsten Cornford, and DHS Policy Office on this 24th day of March, 2026.

/s/ Rebecca L. Abramson