

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

RI DEPARTMENT OF HUMAN
SERVICES

DOCKET No. 26-0920

V.

[REDACTED]

DECISION

I. INTRODUCTION

A Microsoft Teams telephonic hearing on the above-entitled matter was conducted by an Administrative Disqualification Hearing Officer on March 18, 2026. The Department of Administration, Office of Internal Audit, Fraud Unit (Agency), on behalf of the Department of Human Services (DHS), initiated this matter for an Administrative Disqualification Hearing to examine the charge that the Respondent, [REDACTED], had committed an Intentional Program Violation (IPV) of the Supplemental Nutrition Assistance Program (SNAP). The Agency argues that the Respondent failed to report his income from April 18, 2023, through October 31, 2023. The Agency is seeking that the Respondent be charged with an IPV and be disqualified from SNAP for a period of 12 months. For the reasons discussed in more details 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 Rhode Island General Laws (R.I.G.L.) § 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 human services. The administrative hearing was held in accordance with the Administrative Procedures Act (R.I.G.L. § 42-35.1) and 210-RICR-10-05-2.

III. ISSUE

The issue before this Administrative Disqualification Hearing Officer is whether the Respondent committed a SNAP IPV by intentionally 1) making a false statement(s), 2) making a misleading statement(s), 3) making a misrepresentation(s), 4) concealing fact(s), 5) withholding fact(s), or 6) committing any act(s) that constitutes a violation of SNAP policy or statute to receive SNAP benefits, 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 Administrative Disqualification Hearing Officer can accept as highly probable. 7 C.F.R. § 273.16(e)(6) & 218-RICR-20-00-1.9(B).

V. PARTIES AND EXHIBITS

Present for the Agency was Brittny Medeiros, internal audit manager, (Auditor Medeiros) who provided testimony and evidence regarding the case. The following exhibits were presented as evidence:

- Exhibit #1: Cited excerpts of relevant Rhode Island SNAP regulations 218-RICR-20.00-1.5.2(A), 218-RICR-20-00-1.5.2(A)(1)(a), 218-RICR-20-00-1.9(A)(3)(c), 218-RICR-20-00-1.9(C).
- Exhibit #2: The Work Number verification – [REDACTED].
- Exhibit #3: SNAP Recertification/Renewal Notice dated September 1, 2022, and received October 28, 2022.
- Exhibit #4: Benefits Decision Notice (BDN) dated November 16, 2022.
- Exhibit #5: Six-Month Interim Report (IR) dated March 8, 2023, and received April 18, 2023.
- Exhibit #6: Case Note dated October 12, 2023.
- Exhibit #7: BDN dated October 26, 2023.
- Exhibit #8: U.S. Department of Agriculture Electronic Disqualified Recipient System (eDRS) search results for the Respondent.
- Exhibit #9: An Important SNAP Notice/waiver packet (SNAP packet) dated January 17, 2026.
- Exhibit #10: Email from Agency to the Respondent dated February 5, 2026.

The Respondent did not attend the hearing. In accordance with 7 C.F.R. § 273.16(e)(4) and 218-RICR-20-00-1.23(K)(13), the hearing was conducted without the Respondent present or represented.

VI. RELEVANT LAW/REGULATIONS

7 C.F.R. § 273.16, entitled “Disqualification for Intentional Program Violation” (c), defines an IPV as intentionally making 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, Rhode Island regulation 218-RICR-20-00-1 §1.9 provides that the Office of Internal Audit is responsible for investigating any cases of alleged intentional program violations and ensuring that appropriate cases are acted upon through an Administrative Disqualification Hearing whenever there is sufficient documentary evidence to substantiate that an individual has committed IPV. Like its federal counterpart, §1.9 requires “clear and convincing evidence” that the household member(s) committed or intended to commit an IPV, as defined in §1.9(C).

Per 218-RICR-20-00-1 §1.9(A)(3)(c)(1), and 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.

Household income means all income from whatever source, per 218-RICR-20-00-1.5.2(A), including all wages and salaries for services performed as an employee, except specific exclusions. 7 C.F.R. § 273.9(b) and 218-RICR-20-00-1.5.2(A).

Pursuant to 218-RICR-20-00-1.13.1(A)(2)(a), Simplified Reporter households are required to report changes in income which bring the household’s gross income in excess of the gross income eligibility standard for their household size by the 10th day of the month following the month in which the change occurred.

VII. FINDINGS OF FACT

1. DHS made a referral on October 12, 2023, to the Agency, stating that the Respondent, a Simplified Reporter, failed to report earned income on his IR. As a result, the Agency commenced an investigation of the Respondent’s SNAP case.
2. Information from The Work Number, which provides employment and wage verification, showed the Respondent was hired by [REDACTED] on March 13, 2023, and was paid wages from March 24, 2023, through October 6, 2023, receiving \$720.00 a week.
3. The Respondent submitted his IR on April 18, 2023. He marked that he received no job income and that there was no change in his job status. The IR states, “you must tell us below if a

household member changed, started, or ended a job, and if it led to a change in income. You must report a change in rate of pay or a change in full-time or part-time employment status.” He signed it under the penalty of perjury, attesting that all of his answers were correct and complete, and that he understood he was breaking the law if he purposely gave the wrong information.

4. The case was updated with the verified employment income on October 12, 2023, and a BDN was issued on October 26, 2023, notifying the Respondent that his SNAP benefits were ending November 1, 2023.
5. The Respondent had been informed about his job reporting responsibilities in a BDN dated November 16, 2022. Page 2 states, “You must tell us if your household’s gross monthly income (before taxes) is more than \$1,473.00,” and that the change must be reported no later than 10 days after the end of the month when the income increased. The SNAP Rights, Responsibilities and penalty warnings were provided. They read, “**You have a RESPONSIBILITY** to supply accurate information about your income, resources and living arrangements on this application.” They also state that any member of a household who intentionally breaks a SNAP rule will be barred from the SNAP program for one year to permanently, fined up to \$250,000, imprisoned up to 20 years or both.
6. The Respondent has no prior SNAP violations, according to an eDRS search conducted to determine the Respondent’s SNAP disqualification period. Therefore, this would be the Respondent’s first violation, and, as a result, the Agency is pursuing a 12-month disqualification from SNAP pursuant to 218-RICR-20-00-1.9(A)(3).
7. A SNAP packet was mailed to the Respondent at [REDACTED], on January 17, 2026, informing him that he was being charged with an IPV from April 18, 2023, to October 31, 2023. The start date of the IPV is the date the Respondent submitted his IR and failed to include his income from his job at [REDACTED] and the end date is the date DHS closed his case after it was updated with his job income. The SNAP packet also includes the Waiver of Right to an Administrative Disqualification Hearing and the Waiver

Agreement. A phone number is provided for the Respondent to dispute and/or discuss the charge. The Respondent was told to respond by January 27, 2026, or the case would be referred to the Appeals Office for an Administrative Disqualification Hearing.

VIII. DISCUSSION

The Agency maintains that the Respondent was working at [REDACTED], from March 2023 through October 2023, and failed to report the income on his IR, even though the IR stated that any changes to his job status and income must be reported. The Respondent signed the IR on April 18, 2023, under the penalty of perjury and that he understood he was breaking the law if he purposely gave wrong information. Yet, he still concealed that he was working at [REDACTED].

Furthermore, the Respondent was specifically informed through the November 16, 2022, BDN he received that he was required to report income changes if his gross monthly income exceeded \$1,473.00. The change was required to be reported no later than 10 days after the end of the month when the income increased. As the Respondent was receiving \$720.00 in gross weekly wages, he clearly was exceeding the \$1,473.00 threshold and failed to report it. The Respondent continued to receive SNAP benefits until DHS closed him as of November 1, 2023.

As a Simplified Reporter, the Respondent is required to report changes in income which bring the household's gross income in excess of the gross income eligibility standard for that size household by the 10th day of the month following the month in which the change occurred, according to 218-RICR-20-00-1.13.1(A)(2)(a). However, the Respondent failed to do that in this case.

IX. CONCLUSION OF LAW

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

1. The Respondent signed his IR on April 18, 2023, under the penalty of perjury. The Respondent knowingly concealed that he had a job since March 13, 2023, at [REDACTED] by

omitting his job information from the IR and stating he had no changes to his job income, which was listed as zero.

2. The Respondent also failed to inform DHS that his monthly income exceeded \$1,473.00, no later than 10 days after the end of the month when the income increased, despite being clearly informed on the November 16, 2022, BDN that he must do so.
3. The Respondent violated SNAP regulations 218-RICR-20-00-1.9(C) and 7 C.F.R. § 273.16(c) that define an IPV.
4. The Agency has demonstrated by clear and convincing evidence that the Respondent committed an IPV of the SNAP regulations starting on April 18, 2023.

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 the Respondent committed an IPV of the SNAP regulations. It is ordered that the Agency's request for an IPV against the Respondent is granted. Consequently, as this is the Respondent's first IPV, he will be barred from participation in SNAP for 12 months, per 7 C.F.R. § 273.16(b)(1)(i) and 218-RICR-20-00-1.9(A)(3)(a)&(c).

AGENCY'S INTENTIONAL PROGRAM VIOLATION CHARGE IS GRANTED.

/s/ Lori Stabile

Lori Stabile

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

/s/ Rebecca L. Abramson