

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

Department of Human Services

Docket # 26-1612

V.

Case #

DECISION

INTRODUCTION

A Microsoft Teams hearing in this matter occurred on Thursday, April 16, 2026, at 9:00 AM. 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 of the Supplemental Nutrition Assistance Program (SNAP). The Agency is seeking that the Respondent be charged with an Intentional Program Violation (IPV) and be disqualified from SNAP for a period of one year. For the reasons discussed in more details below the Administrative Disqualification Hearing has been decided in favor of the Agency.

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 human services. 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 issue 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 state law, regulations, and policy as set forth below.

STANDARD OF PROOF

The Agency's burden in proving that an IPV occurred is clear and convincing evidence. The agency must 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).

PARTIES AND EXHIBITS

Internal Audit Manager Brittny Medeiros attended the hearing. The following exhibits were presented as evidence:

- Select provisions of SNAP regulations
- The Work Number report on the Respondent's employment with [REDACTED]
- The Work Number report on the Respondent's employment with [REDACTED]
- RI Bridges interface printout on the Respondent's son's employment with [REDACTED]
- Department of Administration, Office of Management and Budget, AP50-B form completed regarding the Respondent's son's employment with [REDACTED]
- DHS Application for Assistance (DHS-2) completed by the Respondent and received on August 26, 2020.
- Benefits Decision Notice (BDN) dated August 29, 2020
- SNAP Recertification/Notice of Renewal (Recertification) date June 1, 2021
- BDN dated July 16, 2021

- SNAP Interim Report dated December 8, 2021
- Recertification dated June 1, 2022
- Department of Labor and Training Claimant Information Data Sheet on the Respondent
- Case note from the Respondent's SNAP case
- DHS-2 received October 26, 2022
- BDN dated November 2, 2022
- United States Department of Agriculture Electronic Disqualified Recipient System printout on the Respondent
- Department of Administration, Office of Management and Budget, SNAP Packet and waiver sent to the Respondent and dated February 6, 2026
- Email from Internal Audit Manager Medeiros to the Respondent with a copy of the SNAP packet and waiver attached.

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) (effective 4/5/26), the hearing was conducted without the Respondent present or represented.

RELEVANT LAW/REGULATIONS

An IPV is defined as 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. This must be done for the purposes of 1) using, 2) presenting, 3) transferring, 4) acquiring, 5) receiving, 6) possessing, or 7) trafficking in SNAP benefits. 7 C.F.R. § 273.16(c). To determine whether an IPV has occurred, 7 C.F.R. § 273.16(e)(6), requires the state to conduct an Administrative Disqualification Hearing to determine whether there is clear and convincing evidence that an IPV occurred.

Similarly, 218-RICR-20-00-1.9, provides that “The Office of Internal Audit is responsible for investigating any case of [an] alleged intentional program violation and ensuring that appropriate cases are acted upon, either through Administrative Disqualification Hearings or referral[s] to a court of appropriate jurisdiction.” It further provides that “[a]dministrative disqualification procedures or referral[s] for prosecution action be initiated whenever there is sufficient documentary evidence to substantiate” that an IPV occurred.

If there is a finding that there was an IPV, the disqualification penalty is one year for the first violation. 7 C.F.R. § 273.16(b)(1)(i).

FINDINGS OF FACT

- The Respondent’s SNAP household consists of themselves and their two children.
- The Respondent does not have any IPV’s prior to this hearing.

Work History

- The Respondent was employed by [REDACTED] from January 24, 2020, through October 8, 2021. Their last paycheck from [REDACTED] was issued on August 26, 2021.
- The Respondent received Unemployment Insurance Benefits from May 23, 2020, through August 29, 2020.
- The Respondent was employed by [REDACTED] from August 23, 2021, through January 30, 2023. Their last paycheck from [REDACTED] was issued on February 10, 2023.
- The Respondent’s son was employed by [REDACTED] in Quarter 3 of 2020. They remained employed with [REDACTED] through Quarter 3 of 2021.
- The Respondent’s son was also employed by [REDACTED] from April 11, 2022. Their last paycheck from [REDACTED] was on May 5, 2023.

Eligibility History

- The Respondent applied for SNAP on August 26, 2020. On the DHS-2 the Respondent listed themselves as well as their son and daughter as household members. They asserted that the household was not expecting any income from a job or from Unemployment Insurance Benefits. The Respondent signed, under penalty of perjury, that the answers in this application were true and correct to the best of their knowledge. The application also included the penalty warnings for committing an IPV.
- The Respondent's Recertification was received by DHS on July 13, 2021. In that Recertification, they assert that the household composition had not changed, that there was no job income coming into the household, that they were receiving Unemployment Insurance Benefits, and that they did not report any changes in the Recertification. They signed the recertification indicating they read or had read to them their rights and responsibilities as well as that, under penalty of perjury, the answers provided were complete and correct.
- DHS issued a BDN on July 16, 2021, which included the penalty warnings for committing an IPV.
- On December 30, 2021, DHS received the Respondent's Interim Report. In that report, they assert that the household composition had not changed, that there was no job income coming into the household, and that they were receiving Unemployment Insurance Benefits. The Respondent signed that the answers were correct and complete to the best of their ability under penalty of false testimony.
- On July 25, 2022, DHS received the Respondent's Recertification. On that Recertification, they assert that the household composition had not changed, that there was no job income coming into the household, and that they were receiving Unemployment Insurance Benefits. They signed the Recertification indicating they read or had read to them their rights and responsibilities as well as that, under penalty of perjury, the answers provided were complete and correct.

- In October 2022, the Respondent submitted a new DHS-2 for SNAP. On that application, they did not list any income sources. The Respondent signed, under penalty of perjury, that the answers in this application were true and correct to the best of their knowledge. The application also included the penalty warnings for committing an IPV.

DISCUSSION

The agency is basing the claim of an IPV on several incidents where the Respondent did not disclose or correct incorrect information related to their SNAP case, specifically as it relates to income. There are several cases where the Respondent submitted applications, Recertifications, and Interim Reports that were misleading and incomplete. These were signed under the penalty of perjury (or under penalty of false testimony) and many carried the penalty warnings related to committing an IPV.

First, the Respondent received Unemployment Insurance Benefits from May 23, 2020, through August 29, 2020. However, they failed to report the Unemployment Insurance Benefits on their August 2020 application. They also failed to alert DHS that these benefits ended on their August 2021 Recertification, their December 2021 Interim Report, and on their July 2022 Recertification.

Second, the Respondent was employed by [REDACTED] from January 24, 2020, through October 8, 2021. However, they failed to report the [REDACTED] income on their July 2021 Recertification.

Third, the Respondent was employed by [REDACTED] from June 23, 2021, through January 30, 2023. However, they failed to report that income on their December 2021 Interim Report, their July 2022 Recertification, and on their October 2022 application.

Fourth, the Respondent's son was employed by [REDACTED] from Quarter 3 of 2020 through Quarter 3 of 2021. However, the Respondent did not report this income on the July 2021 Recertification.

Finally, the Respondent's son was employed by [REDACTED] from April 11, 2020, through May of 2023. However, the Respondent did not report this income on their July 2022 recertification.

These reoccurring omissions and failures to correct information on record clearly show an ongoing concealment and misrepresentation of facts. The result being the Respondent received SNAP benefits despite the calculation of those benefits being based on wrong information.

CONCLUSION OF LAW

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

1. The Respondent committed an IPV by providing false and misleading information on two applications, two Recertifications, and an Interim Report; specifically, as it relates to concealing or hiding job income and failing to correct that their Unemployment Insurance Benefits ended.

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 Agency established, by clear and convincing evidence, that an IPV occurred.

AGENCY'S INTENTIONAL PROGRAM VIOLATION CHARGE IS GRANTED

1/s/ Shawn J. Masse

Shawn J. Masse - 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 Kimberly Seebeck, Brittny Medeiros, Iwona Ramian, Esq., Vania Rebollo, Jenna Simeone, Kimberly Rauch, Jessica Patroliia, Kirsten Cornford, and the DHS Policy Unit at DHS.PolicyQuestions@dhs.ri.gov on this 21st day of APRIL, 2026.

Rebecca Rahn