

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

Department of Human Services

V.

DOCKET No. 26-1784

[REDACTED]

DECISION

I. INTRODUCTION

A Microsoft Teams Hearing on the above-entitled matter was conducted by an Administrative Disqualification Hearing Officer on May 13, 2026. The Department of Administration, Office of Internal Audit, Fraud Unit (hereinafter the "Agency"), on behalf of the Department of Human Services (DHS), initiated this matter for an Administrative Disqualification Hearing and held to examine the charge that the Respondent, [REDACTED], had committed an Intentional Program Violation (IPV) of the Supplemental Nutrition Assistance Program (SNAP) in their SNAP case, Bridges Case ID [REDACTED]. The Agency argues that the Respondent failed to report their earned income despite being required to do so by December 10, 2023. Furthermore, the Agency argues that the Respondent withheld information about their earned income on their February 12, 2024, SNAP Recertification Form. 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 detail below the Administrative Disqualification Hearing was decided 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 human services. 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

Did the Respondent commit a SNAP IPV by intentionally withholding their earned income information from DHS?

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. See 7 C.F.R. §273.16(e)(6).

V. PARTIES AND EXHIBITS

Brittney Medeiros, Internal Audit Manager for the Office of Internal Audit and Program Integrity, attended the Hearing and offered the following exhibits as evidence:

Exhibit #1 – Relevant Rhode Island Regulations.

Exhibit #2 – Equifax Earned Income Verification for [REDACTED].

Exhibit #3 – Social Security Income Verification for the Respondent's Child.

Exhibit #4 – October 13, 2022, SNAP Recertification Form.

Exhibit #5 – December 28, 2022, Benefit Decision Notice (BDN).

Exhibit #6 – February 10, 2024, SNAP Recertification Form.

Exhibit #7 – February 17, 2024, BDN.

Exhibit #8 – Electronic Disqualified Recipient System (eDRS) Search Results.

Exhibit #9 – SNAP IPV Packet, Date: March 3, 2026.

Exhibit #10 – Email Chain between Brittany Medeiros and the Petitioner.

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

An IPV is defined as intentionally making false or misleading statements, or misrepresenting, concealing, or withholding facts, or committing any act that constitutes a violation of the 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.” 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 agency to conduct an Administrative Disqualification Hearing to determine whether there is clear and convincing evidence that an IPV occurred.

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

Household income shall mean all income from whatever source with limited exceptions. Earned income shall include all wages and salaries of an employee. See 7 C.F.R. §273.9(b)(1)(i).

Households that consist entirely of elderly or disabled members with no earned income or households with members who are migrant seasonal farm workers are considered Change Reporters. All other households are considered Simplified Reporters and are assigned a 12-month certification period.

See 218-RICR-20-00-1.8(A) et seq. With the exception of the interim report and lottery/gambling winnings, a simplified reporting household's sole reporting requirement is 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 tenth day of the month following the month in which the change occurred. See 218-RICR-20-00-1.13.1(A)(2)(a).

The gross income eligibility standards for the Supplemental Nutrition Assistance Program for the contiguous forty-eight (48) states, the District of Columbia, the Virgin Islands and Guam is one hundred thirty percent (130%) of the Federal income poverty level. See 218-RICR-20-00-1.15(A)(7) (Effective October 1, 2023, to December 15, 2023). The maximum gross monthly income limit for a household of two was \$2,137.00 for the month of November 2023. See 218-RICR-20-00-1.15(E)(1)(Table 1) (Effective October 1, 2023, to December 15, 2023).

If there is a finding that there was an IPV, the disqualification penalty for the violation is 12 months for the first violation. See 7 C.F.R. §273.16(b)(1)(i).

VII. FINDINGS OF FACT

1. The Respondent was previously receiving SNAP.
2. The Agency began an investigation of the Respondent after it received a fraud referral from DHS claiming that the Respondent failed to report their earned income on a SNAP Recertification.
3. The Respondent received a December 28, 2022, BDN. On page two, it instructs the Respondent that they need to inform DHS if their household's gross income exceeds \$1984.00 no later than ten days after the end of the month when their income increases. Pages seven and eight contain the SNAP Penalty Warnings which state that the Respondent could be barred from SNAP for one year if they intentionally break a SNAP rule. Page eight states that the Respondent must not lie or hide information to get or continue to get SNAP benefits that their household should not get.
4. The Respondent was hired by [REDACTED] on November 6, 2023.

5. The Respondent's child received \$688.00 in gross monthly unearned income from Social Security in 2023.
6. At the end of November 2023, the Respondent's household's gross income was \$4,723.00. Per the Equifax Earned Income Verification for [REDACTED], the respondent received \$4,035.00 in earned income from [REDACTED]. Per the Social Security Income Verification for the Respondent's Child, they received \$688.00 in gross unearned income in November 2023.
7. The maximum gross monthly income limit for the Respondent's household was \$2,137.00 for the month of November 2023.
8. Because the Respondent's gross income exceeded \$2,137.00 at the end of November 2023, the Respondent had a duty to report their income to DHS by December 10, 2023. The Respondent failed to do so.
9. The Respondent signed a SNAP Recertification Form on February 10, 2024, and returned it to DHS. The form includes clear instructions as to how to provide information and verification concerning the Respondent's earned income. The Respondent failed to provide any information about their earned income from [REDACTED] on the form. On page five of the SNAP Recertification Form the Respondent states that they are unemployed, however the Equifax Earned Income Verification for [REDACTED] clearly shows that they were working and receiving earned income at that time. By signing the SNAP Recertification Form on page ten the Respondent acknowledged that they had a duty to provide correct and complete information on the form and that they would be breaking the law by purposely giving wrong information and could be punished under federal law, state law, or both.
10. On February 17, 2024, a DHS worker discovered the Respondent's unreported earned income from [REDACTED] while processing the Respondent's SNAP Recertification Form. DHS sent the Respondent a BDN on February 17, 2024, informing them that their SNAP case was closing because their household's income exceeded the limit for SNAP.

11. The Agency ran the Respondent through the Electronic Disqualified Recipient System (eDRS) and determined that the Respondent had no previous SNAP program violations. As such this would constitute the Respondent's first SNAP IPV.
12. On March 3, 2026, a SNAP Packet was mailed to the Respondent's last known address. The SNAP Packet includes a waiver of right to Administrative Disqualification Hearing, an IPV notice for unreported earned income from December 11, 2023, to February 29, 2024, and a notice of potential overpayment referral to the claims collection recovery unit. The Agency also emailed the SNAP Packet to the Respondent.

VIII. DISCUSSION

As stated above, an IPV can be defined as intentionally making false or misleading statements, or misrepresenting, concealing, or withholding facts. Households that consist entirely of elderly or disabled members with no earned income or households with members who are migrant seasonal farm workers are considered Change Reporters. All other households are considered Simplified Reporters. A simplified reporting household's sole reporting requirement is 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 tenth day of the month following the month in which the change occurred.

The Agency testified that by failing to report their household's earned income from [REDACTED] [REDACTED], by December 10, 2023, and by withholding that same information on the February 10, 2024, SNAP Recertification Form, the Respondent committed a SNAP IPV. Because the Respondent's SNAP household did not consist entirely of elderly or disabled members with no earned income nor did it contain any migrant seasonal farm workers, it was a simplified reporting household. Therefore, the Respondent needed to inform DHS when their household's gross income exceeded the gross income eligibility standard for their household's size. The December 28, 2022, BDN, clearly informs the Respondent of their duty to notify DHS if their household's gross income exceeds \$1984.00 and to do so by no later than ten days after the end of the month when their income increases. The Equifax Earned

Income Verification for [REDACTED], clearly shows that the Respondent received \$4,035.00 in earned income in November 2023. The Social Security Income Verification for the Respondent's Child clearly shows that the Respondent's household received \$688.00 in social security income in November 2023. Because the Respondent's household's income exceeded the monthly gross income limit of \$2,137.00 for a household of two in November 2023, they had a duty to inform DHS of their household's increased income, and they failed to do so. Furthermore, the Respondent was clearly instructed to provide information about their earned income on the February 10, 2024, SNAP Recertification Form, and they failed to do that as well. The December 28, 2022, BDN and SNAP Recertification Forms sent to the Respondent clearly show that the Respondent was informed of the SNAP Penalties for intentionally breaking a SNAP rule. By failing to report their household income to DHS by December 10, 2023, and by withholding their earned income information from [REDACTED] on the February 10, 2024, SNAP Recertification Form, the Respondent broke a SNAP rule. As such, there is clear and convincing evidence to show that the Respondent committed a SNAP IPV.

IX. CONCLUSION OF LAW

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

1. The Respondent began to work for [REDACTED] in November 2023.
2. The Respondent's household's gross income exceeded the eligibility standard for a household of two in November 2023.
3. The Respondent failed to inform DHS that their household's gross income exceeded the eligibility standard for a household of two by December 10, 2023.
4. The Respondent failed to report their earned income from [REDACTED] on the February 10, 2024, SNAP Recertification Form.
5. An IPV can be defined as intentionally making false or misleading statements, or misrepresenting, concealing, or withholding facts.

6. The Respondent's failure to report their income to DHS by December 10, 2023, and their failure to report their earned income on the February 10, 2024, SNAP Recertification Form, constitutes a SNAP IPV.
7. This is the Respondent's first SNAP IPV.

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 and hereby is barred from participating in SNAP for 12 months.

AGENCY'S INTENTIONAL PROGRAM VIOLATION CHARGE IS GRANTED.

/s/ Jack Peloquin

Jack Peloquin

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, Brittany Medeiros, Iwona Ramian, Esq., Vania Rebollo, Kimberly Rauch, Jenna Simeone, Jessica Patroliia, Kirsten Cornford, and the DHS Policy Unit at dhs.policyquestions@dhs.ri.gov on this

14 day of May, 2026.

