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

[redacted]

V. DOCKET No. 26-2176

Department of Human Services

DECISION

I. INTRODUCTION

A Microsoft Teams hearing on the above-entitled matter came before an Appeals Officer on October 14, 2026. The Appellant declined the option of a video hearing. The Appellant's appeal identification number is [redacted] and their Department of Human Services (DHS) case number is [redacted] The Appellant initiated this matter to appeal DHS' closure of their Rhode Island Works (RIW) case as stated in the benefit decision notice (BDN) dated March 10, 2026. For the reasons discussed in more detail below, the Appellant's Appeal is denied.

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

Did DHS correctly determine the Appellant's eligibility for RIW?

IV. STANDARD OF PROOF

It is well settled that in formal or informal adjudications modeled on the Federal Administrative Procedures Act, the initial burdens of production and persuasion rest with the moving part. See 2 Richard J. Pierce, Administrative Law Treaties §10.7 (2002). Unless otherwise specified, a preponderance of the evidence is generally required to prevail. See *Lyons v. Rhode Island Pub. Employees Council 94*, 559 A.2d 1130, 134 (R.I. 1989) (preponderance standard is the "normal" standard in civil cases). 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. When there is no direct evidence on a particular issue, a fair preponderance of the evidence may be supported by circumstantial evidence. See *Narragansett Electric Co. vs. Carbone*, 898 A.2d 87 (R.I. 2006).

V. PARTIES AND EXHIBITS

Victoria Quinonez attended the hearing on DHS' behalf and provided the following exhibits as evidence:

Exhibit #1 – March 10, 2026, BDN.

Exhibit #2 – March 10, 2026, RIW Hardship Extension Denial Notice.

Exhibit #3 – Eligibility Determination Results for Case Number [redacted]

The Appellant attended the hearing and provided the following exhibits as evidence:

Exhibit #4 – March 23, 2026, Appeal Form.

Exhibit #5 – September 24, 2026, Letter from Appellant's Counselor.

Exhibit #6 – Screenshot of the Appellant's Social Security Application Confirmation Number.

Exhibit #7 – May 20, 2026, Social Security Request for Reconsideration Summary.

VI. RELEVANT LAW/REGULATIONS

The RIW law (R.I. Gen. Laws Chapter 40-5.2) provides in part that all applicants and/or recipients for cash assistance shall be subject to a maximum lifetime limit of 60 months of cash receipt. 218-RICR-20-00-2.6(A). Any individual approaching either time limit, or who has met or exceeded the time limit, is notified that they may request a reassessment to determine whether they may meet the criteria for an extension beyond the time limit. Individuals are required to complete an application for RIW Program Hardship Extension. 218-RICR-20-00-2.6.2(A).

A hardship extension may be granted to the parent(s) or caretaker relative if all other RIW eligibility requirements are met, including redeterminations, and one of the following criteria applies: 1) The applicant has a documented significant physical or mental incapacity and can document a pending application for SSI or SSDI and has submitted an application for or is active and in compliance with their employment plan with the Office of Rehabilitation Services; 2) The applicant is caring for a significantly disabled family member who resides in the home and requires full time care; 3) The applicant is homeless; 4) The applicant is unable to pursue

employment because of a current, documented domestic violence situation; or 5) The applicant is unable to work because of a critical other condition or circumstance, other than citizenship or non-citizen status, as approved by a DHS supervisor. See 218-RICR-20-00-2.6.3(A)(1-5).

VII. FINDINGS OF FACT

1. The Appellant was previously approved for RIW.
2. On March 10, 2026, DHS sent the Appellant a BDN stating that they utilized 60 months of RIW benefits and their RIW case was going to close.
3. The Appellant applied for a hardship extension. DHS denied the Appellant's request on March 10, 2026, because the Appellant did not meet the requirements.
4. The Appellant's RIW case closed effective April 1, 2026.

VIII. DISCUSSION

As stated above, applicants and/or recipients for cash assistance shall be subject to a maximum lifetime limit of 60 months of RIW benefits. Applicants and/or recipients may apply for a RIW hardship exemption. A hardship extension may be granted to the parent(s) or caretaker relative if the applicant has a documented significant physical or mental incapacity and can document a pending application for SSI or SSDI and has submitted an application for or is active and in compliance with their employment plan with the Office of Rehabilitation Services. DHS testified that the Appellant's RIW case was closed correctly because the Appellant had reached their 60-month limit of RIW benefits and they did not meet the requirements to be approved for a hardship exemption.

The Appellant testified that they are mentally disabled because they are diagnosed with PTSD and that they applied for Social Security benefits around the time that they were informed

that they reached the maximum amount of time for RIW benefits. The Appellant submitted a letter from their counselor as evidence to show their PTSD diagnosis, but it was dated September 24, 2026, six months after their hardship extension was denied by DHS.

While the Appellant testified that they are disabled because of their PTSD diagnosis, they did not provide any evidence or testimony to show that they submitted an official verification of their PTSD diagnosis to DHS prior to the denial of their RIW Hardship Extension Application. The Appellant provided the Screenshot of the Appellant's Social Security Application Confirmation Number as evidence, but it is insufficient to show that the Appellant had a pending Social Security Application at the time of their hardship extension denial because it lacks a date. Because the Appellant failed to provide any evidence or testimony to show that they submitted verifications of their disability, their pending Social Security Application, or that they submitted an application for or was active and in compliance with an employment plan with the Office of Rehabilitation Services to DHS prior to the denial of their RIW Hardship Extension Application, there is a preponderance of evidence to show that DHS correctly denied the Appellant's RIW Hardship Extension Application. Because the Appellant did not qualify for a hardship extension and because they already received 60 months of RIW benefits, DHS correctly determined the Appellant's eligibility for RIW on March 10, 2026.

IX. CONCLUSION OF LAW

After careful review of the testimony and evidence present at the Administrative Hearing, I conclude that:

1. Applicants and/or recipients for cash assistance shall be subject to a maximum lifetime limit of 60 months of RIW benefits.

2. A hardship extension may be granted to the parent(s) or caretaker relative if the applicant has a documented significant physical or mental incapacity and can document a pending application for SSI or SSDI and has submitted an application for or is active and in compliance with their employment plan with the Office of Rehabilitation Services.
3. The Appellant received 60 months of RIW benefits.
4. The Appellant did not provide verifications that they had a documented significant physical or mental incapacity, a pending application for SSI or SSDI, and that they submitted an application for or was active and in compliance with an employment plan with the Office of Rehabilitation Services to DHS prior to the denial of their RIW Hardship Extension Application.
5. DHS correctly denied the Appellant's RIW Hardship Extension Application because the Appellant did not meet the requirements for a hardship extension.
6. DHS correctly determined the Appellant's eligibility for RIW.

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' determination of the Appellant's eligibility for RIW.

APPEAL DENIED

/s/ Jack Peloquin

Jack Peloquin

Appeals 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 [redacted], Kirsten Cornford, the DHS Appeals Unit at DHS.Appeals@dhs.ri.gov, and the DHS Policy Office at dhs.policyquestions@dhs.ri.gov on this 16th day of October, 2026.

/s/ Rebecca L. Abramson