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

Department of Human
Services

Docket No. 26-2533

v.

[redacted]

DECISION

I. INTRODUCTION

A telephonic hearing on the above-entitled matter was conducted by an Administrative Disqualification Hearing Officer on June 1, 2026. The Department of Administration, Office of Internal Audit, Fraud Unit (the Agency), on behalf of the Department of Human Services (DHS), initiated this matter for an Administrative Disqualification Hearing to examine the charge against [redacted] (Respondent), had committed an Intentional Program Violation (IPV) of the Supplemental Nutrition Assistance Program (SNAP). The Agency argues that the Respondent failed to disclose his employment on four occasions while he had an active SNAP case. Due to the above reason, the Agency is seeking the Respondent be charged with an IPV for the period April 20, 2022, through November 30, 2023, and be disqualified from SNAP for a period of one (1) year. For the reasons discussed in more detail below, the Administrative Disqualification Hearing has been decided in favor of the Agency.

II. 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 DHS

programs. 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 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 that he was not entitled to, in accordance with Federal and State regulations 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 Internal Auditor Brittny Medeiros, who investigated the Respondent's case and provided testimony based on the facts established in determining an IPV of the SNAP regulations. The Agency submitted the following evidence as exhibits:

- Exhibit #1: Printout of select RI regulations.
- Exhibit #2: Employment record from [redacted] for [redacted] covering pay periods ending September 10, 2022, through March 12, 2023.
- Exhibit #3: Employment record from [redacted] for [redacted] covering pay periods ending June 10, 2023, through August 31, 2024.
- Exhibit #4: Recertification/Renewal Notice (Recertification) dated September 1, 2021, and signed on September 16, 2021.

- Exhibit #5: Benefits Decision Notice (BDN) dated September 29, 2021.
- Exhibit #6: Six-Month Interim Report (IR) dated March 8, 2022, and received on April 20, 2022.
- Exhibit #7: Recertification dated September 1, 2022, and received October 28, 2022.
- Exhibit #8: BDN dated November 3, 2022.
- Exhibit #9: Recertification dated October 1, 2023, and received November 7, 2023.
- Exhibit #10: Change Report Form dated November 7, 2023.
- Exhibit #11: BDN dated November 7, 2023.
- Exhibit #12: Electronic Disqualified Recipient System (eDRS) report obtained on March 13, 2026.
- SNAP packet, including waiver of right to a hearing, dated March 18, 2026.
- E-mail from Internal Auditor Medeiros to the Respondent dated April 2, 2026.

The Respondent did not appear for the scheduled Hearing. In accordance with 7 C.F.R. §273.16(e)(4) and 218-RICR-20-00-1, §1.23(K)(13), if the household member or its representative fails to appear at the hearing without good cause, the hearing is conducted without the Respondent present. The hearing commenced at 9:12 a.m. without the Respondent present or represented.

VI. RELEVANT LAW/REGULATIONS

7 C.F.R. §273.16 (c), entitled "Disqualification for Intentional Program Violation (IPV), defines an IPV as intentionally making false or misleading statements, 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 intentional program violation 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 State counterpart, 218-RICR-20-00-1.9(A), entitled "Intentional Program Violations" provides that "The Office of Internal Audit is responsible for investigating any case of alleged intentional program violation 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 must be initiated whenever there is sufficient documentary evidence to substantiate that an individual has intentionally committed one (1) or more acts of intentional violation as defined in § 1.9(A)(3) of this Part."

VII. FINDINGS OF FACT

1. The Office of Internal Audit, Fraud Unit received a referral from DHS claiming that the Respondent did not report his earned income when he submitted three Recertifications, and one Change Report. As a result, an investigation commenced.
2. The SNAP household consists of only the Respondent.
3. 218-RICR-20-00-1.5.2(A) states that household income means all income from whatever source excluding only items specified in § 1.13.1 of this part.
4. The Respondent is a simplified reporter per 218-RICR-20-00-1.13.1(A)(2).
5. The Respondent was employed at [redacted] effective February 28, 2022, and received wages from March 18, 2022, through September 26, 2022.
6. The Respondent was employed at [redacted] effective May 30, 2023, and received wages from June 21, 2023, through September 6, 2024.
7. On or about September 16, 2021, DHS received a SNAP Recertification from the Respondent. The Respondent signed the Recertification under the Penalty Warning attesting all his answers

were true and complete. The Penalty Warning further advised that purposely giving incorrect was against the law and he could be punished under federal law, state law, or both.

8. On September 29, 2021, a BDN was mailed to the Respondent advising him his SNAP had been renewed. Page 3 of the BDN informed the Respondent he needed to report to DHS if his income exceeded $1396.00 within 10 days after the end of the month in which the income increased.
9. On April 20, 2022, DHS received an IR from the Respondent. Page 3 asks for employment information for household members, the Respondent was employed by [redacted] and did not report those wages. He signed under the Penalty of Perjury warning that his answers were true.
10. On October 28, 2022, DHS received a Recertification from the Respondent. Page 4 asks if any household member are working, the Respondent left that section blank, he was not working at either [redacted] or [redacted] at that time, therefore this answer was true.
11. On November 3, 2022, a BDN was mailed to the Respondent advising him his SNAP benefits were terminated effective November 1, 2022, through November 30, 2022, due to living in an institution. Effective December 1, 2022, the Respondent was approved for $281.00 in SNAP benefits. Page 3 of the BDN tells the Respondent he must report if his wages exceed $1473.00 and this must be reported no later than 10 days after the end of the month in which the increase occurred. The BDN also alerted the Respondent of his rights, responsibilities, and the penalty warning.
12. In June 2023 the Respondent's gross income from [redacted] was $3667.75, which exceeds the SNAP income limit of $1473.00, which the Respondent was required to report this income to DHS no later than July 10, 2023, and he failed to do so.

13. On November 7, 2023, DHS received a Change Report Form from the Appellant reporting a change in his telephone number. The Respondent had the opportunity to report his income increase at that time but failed to do so. The Respondent signed the form under the Penalty for Perjury.
14. On November 7, 2023, a case note was entered by a DHS worker that read "11/7 SNAP recert on OT. I took one task and called client but no answer. No time to call again, no changes reported. However, I found a job on work number with a 5/30/2023 hire date not reported, will refer to fraud. I updated all info in case, client lives with mother, does not pay rent or expenses. Recert signed, all screens updated. No disability in SOLQ. SNAP closed due to over income, OP referrals justified."
15. A search was conducted on the eDRS, which revealed the Respondent has no prior SNAP disqualifications. Accordingly, the Agency is seeking a 12 month SNAP disqualification.
16. On March 18, 2026, a waiver of the right to an administrative disqualification hearing was mailed to the Respondent at his address of record. The packet contained the waiver and the IPV notice for unreported income for the period April 20, 2022, through November 30, 2023.
17. On April 2, 2026, the Respondent returned a telephone call to the Agency. The Agency reviewed the case with him and he wanted more time to review the documents. There was further communication regarding an incarceration the Respondent had, but that is not pertinent to the time period the IPV is in question.
18. There was no further communication from the Respondent and a hearing commenced on June 1, 2026.

VIII. DISCUSSION

The Agency maintains that the Respondent intentionally failed to report his income when he submitted his Recertifications and Change Report Form for SNAP benefits. The Agency argues the evidence is clear and convincing that the Respondent committed an IPV from April 20, 2022, through November 30, 2023, and should be disqualified from participation in the SNAP program for a period of one (1) year.

The evidence establishes that the Respondent submitted his IR on April 20, 2022, and did not report he had income from [redacted] that exceeded the $1396.00 income limit. He again did not report when his income from [redacted] exceeded the income limit of $1473.00 in June 2023. On the Change Report Form submitted on November 7, 2023, he did not report his income, nor did he report it when he had an interview on the same day.

The Respondent again signed his Recertifications and Change Report Form under the Penalty Warnings. The Recertifications clearly state one of his responsibilities is to supply accurate information about his income with a statement of **"DO NOT lie or hide information to get or continue to get SNAP benefits that your household should not get."** His signature is also his attestation that he understood the questions and the penalty for hiding or providing false information or breaking any of the rules listed in the penalty warning, one of which is to report income and personal circumstances.

Therefore, the Respondent intentionally provided false information, concealed information, and otherwise intentionally failed to report that he was employed with [redacted] and [redacted]. Accordingly, there is clear and convincing evidence that the Respondent committed an IPV on April 20, 2022, when he failed to report his employment and income from

[redacted], in order to continue to obtain SNAP benefits. The Respondent violated SNAP Regulations 218-RICR-20-00-1, §1.9(3)(1) and 7 C.F.R. §273.16(3)(1), that defines an IPV.

IX. CONCLUSION OF LAW

After careful review of the testimony and evidence presented at the Administrative Hearing, it is clear that:

1. The Agency has demonstrated by clear and convincing evidence that the Respondent knowingly failed to report to DHS his true household circumstances, i.e. his employment status, on his Recertifications and Change report Form or during his interview. The Respondent signed and dated the SNAP Recertifications and Change Report Form under the Penalty Warning, attesting that his answers were correct and true to the best of his knowledge.
2. Consequently, the Respondent, as head of the household, will not be able to participate in SNAP for one (1) year per 7 C.F.R. §273.16(b)(1)(i), SNAP regulations 218-RICR-20-00-1, §1.9(A)(3)(c)(1), which states, in pertinent part, "Individuals found to have committed an IPV through an Administrative Disqualification Hearing shall be incligible to participate in the program for a period of one (1) year as this is the first 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 the Agency's request for an IPV against the Respondent for one (1) year is granted.

AGENCY'S INTENTIONAL PROGRAM VIOLATION CHARGE IS GRANTED.

Jillian R. Rivers, Appeals Officer

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

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.

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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 DOA Representatives Brittny Medeiros, Kimberly Seebeck; and DHS representatives, Vania Rebollo, Iwona Ramian, Esq., Kimberly Rauch, Jenna Simeone, Jessica Patrolia, Kirsten Cornford, and DHS Policy Office on this 15th day of June, 2026.