

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

DEPARTMENT OF HUMAN SERVICES

DOCKET No. 26-2563

v.

[REDACTED]

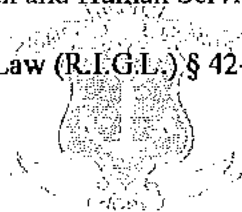
DECISION

I. INTRODUCTION

An Administrative Disqualification Hearing Officer conducted a Microsoft Teams audio hearing in the above-entitled matter on June 2, 2026. The Department of Administration, Office of Internal Audit, Fraud Detection and Prevention Unit (Agency), on behalf of the Department of Human Services (DHS), initiated this matter of 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 committed an IPV between February 11, 2022, and January 31, 2023, by purposefully failing to report earned income. The Agency seeks that the Respondent be charged with an IPV and be disqualified from SNAP participation for 12 months. The Respondent's SNAP case number is [REDACTED]. For the reasons discussed in more detail 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 Law (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.).

III. ISSUE

The issue before this Administrative Disqualification Hearing Officer is whether the Respondent committed a SNAP IPV by intentionally making a false statement(s), misleading statement(s), making misrepresentation(s), concealing fact(s), withholding fact(s), or committing any act(s) that constitutes a violation of SNAP regulations in accordance with Federal and State regulations.

IV. STANDARD OF PROOF

The Administrative Disqualification Hearing Officer is required to carefully consider the evidence and determine if an IPV occurred based on clear and convincing evidence. 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

Fraud Internal Auditor Manager Brittny Medeiros appeared on behalf of the Agency. The Respondent did not attend the hearing. In accordance with 7 C.F.R. § 273.16(e)(4) and 218-RICR-20-00-1.22(K)(13), the hearing was conducted without the Respondent present or represented. The following Agency exhibits were presented and marked as evidence at hearing.

- Exhibit #1 – Excerpts of SNAP regulations relied upon by the Agency.

- Exhibit #2 – A copy of an Equifax: The Work Number printout for the Respondent's employment at [REDACTED], date of hire November 29, 2021.
- Exhibit #3 – A copy of the Respondent's self-service SNAP application dated March 4, 2021.
- Exhibit #4 – A copy of a SNAP Benefit Decision Notice (BDN) dated March 10, 2021, for case # [REDACTED]
- Exhibit #5 – A copy of a SNAP Recertification/Renewal Notice dated January 1, 2022, for case # [REDACTED]
- Exhibit #6 – A copy of a SNAP BDN dated March 7, 2023, for case # [REDACTED]
- Exhibit #7 – A copy of a SNAP Interim Report (IR) dated August 8, 2022, for case # [REDACTED]
- Exhibit #8 – A copy of case notes from the Respondent's case # [REDACTED] dated January 10, 2023.
- Exhibit #9 – A copy of the United States Department of Agriculture Electronic Disqualified Recipient System (eDRS) for the Respondent, dated March 26, 2026.
- Exhibit #10 – A copy of the SNAP packet dated March 28, 2026, addressed to the Respondent.
- Exhibit #11 – A copy of email correspondence from Ms. Medeiros to the Respondent dated April 13, 2026.

VI. RELEVANT LAW/REGULATIONS

According to 218-RJCR-20-00-1.9(C), an IPV is defined as intentionally making false or misleading statements, misrepresenting, concealing, 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 SNAP benefits or EBT cards.” To determine whether an IPV has occurred, the State must conduct an administrative disqualification hearing to establish clear and convincing evidence of an IPV. 7 C.F.R. §273.16(c) & 7 C.F.R. §273.16(e)(6).

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

According to 218-RICR-20-00-1.9(A)(3)(c)(1) and 7 C.F.R. §273.16(b)(1)(i), if a finding is made that an IPV of the SNAP regulations has occurred, the disqualification penalty is 12 months for the first violation.

All countable household income needs to be reported to DHS by the SNAP recipient. According to 218-RICR-20-00-1.5.2(A)(1)(a)(1), household income means all income from all wages and salaries for services performed as an employee.

The Respondent is a Simplified Reporter, and, as such, their sole reporting requirement for SNAP is to report changes in income exceeding the gross income eligibility standard for that household size by the tenth day of the month following the month in which the change occurred. 218-RICR-20-00-1.13.1(A)(2)(a).

VII. FINDINGS OF FACT

1. The Respondent is a simplified reporter, and the SNAP household consisted of just himself.
2. The Respondent applied for SNAP on March 4, 2021.
 - a. Pages 28 through 30 of this application list the Respondents' rights and responsibilities for SNAP. Pages 30 and 31 list the SNAP Penalty warnings, which state, "DO NOT give false information or hide information to get or continue to get SNAP benefits."
 - b. The Respondent signed this application, under penalty of perjury, on page 32.
3. A SNAP BDN was issued to the Respondent on March 10, 2021.
 - a. Page 2 informs the Respondent that his household had been approved for SNAP benefits from April 1, 2021, through February 28, 2022, in the amount of \$59.00 for a household of one.
 - b. Page 2 further states, "You must tell us if your household's gross income (before taxes) is more than \$1,383. You must tell us no later than 10 days after the end of the month when your income went up."
 - c. Pages 3 through 9 of this BDN list the Respondents' rights, responsibilities, and SNAP penalty warnings for participating in SNAP.
 - d. Page 8 states, "DO NOT lie or hide information to get or continue to get SNAP benefits that your household should not get."
4. On February 21, 2022, DHS received the Respondent's SNAP Renewal Form for continuation of SNAP beyond February 28, 2022.

- a. Page 2 of this Renewal provided directions on how to complete and submit the form, specifically informing the Respondent that he needed to review the information on the form and make any necessary corrections.
 - b. The only changes the Respondent reported on this renewal form were that he was currently homeless, that he was no longer receiving Unemployment Insurance Benefits in the amount of \$308 weekly, that he was no longer paying rent in the amount of \$850 monthly, and that he was no longer paying utilities.
 - c. The Respondent signed page 9 on February 21, 2022, directly under the Penalty Warning statement, which read: “My signature below indicates that I have read or have had read to me the Rights and Responsibilities attached to the form. Under penalty of perjury, I attest that all of my answers on this renewal form are correct and complete to the best of my knowledge, including information about citizenship and immigration status and the identity of the minor child named on this form. I understand that I am breaking the law if I purposely give wrong information and can be punished under federal law, state law, or both.”
5. A SNAP BDN was issued to the Respondent on March 22, 2022.
- a. Page 1 informs the Respondent that his SNAP benefits have been renewed.
 - b. Page 2 informs the Respondent that his household had been approved for SNAP benefits from March 1, 2022, through March 31, 2023, in the amount of \$250.00 for a household of one, due to a decrease in unearned income and a decrease in housing/utility expenses.

- c. Page 2 further states, "You must tell us if your household's gross income (before taxes) is more than \$1,396. You must tell us no later than 10 days after the end of the month when your income went up.
 - d. Pages 3 through 9 of this BDN list the Respondents' rights, responsibilities, and SNAP penalty warnings for participating in SNAP.
 - e. Page 8 states, "DO NOT lie or hide information to get or continue to get SNAP benefits that your household should not get."
6. On October 4, 2022, DHS received the Respondent's SNAP IR for continuation of SNAP beyond September 30, 2022.
- a. The Respondent reported no changes to contact information, income, or expenses on this SNAP IR.
 - b. The Respondent signed page 7 on October 4, 2022, directly under the Penalty Warning statement, which read: "Under penalty of perjury, I attest that all my answers on this form are correct and complete to the best of my knowledge. I understand that I am breaking the law if I purposely give wrong information and can be punished under federal law, state law, or both."
7. Per a case note from case # [REDACTED] on January 10, 2023, an eligibility worker processed the SNAP IR and approved SNAP from October 1, 2022, to present, due to the Respondent coming into a DHS office because he dropped off the IR in October 2022, and DHS never processed it.
8. When the Respondent initially applied for SNAP on March 4, 2021, he was not working, but he was receiving Unemployment Insurance Benefits.

9. When the Respondent submitted a SNAP Renewal Form on February 21, 2022, he failed to report any income despite being hired at [REDACTED] on November 29, 2021. The Respondent received his first paycheck on January 7, 2022, and received weekly paychecks prior to submitting this SNAP Renewal, yet failed to report the income to DHS.
10. When the Respondent submitted a SNAP IR on October 4, 2022, he was still working at [REDACTED]. The Respondent received consistent weekly paychecks prior to submitting the SNAP IR, yet he failed to report any income to DHS.
11. The Respondent earned more than \$1,383 in January 2022 and should have reported this income to DHS by February 10, 2022, due to being a Simplified Reporter.
12. The Respondent was terminated from [REDACTED] on December 23, 2022, and received his final paycheck from that employer on January 13, 2023, per the Equifax: Work Number Printout.
13. The Respondent has no prior IPV's. Because this is the Respondent's first IPV, the State is requesting that the Respondent be disqualified from SNAP for 12 months.

VIII. DISCUSSION

The issue to be decided is whether the Respondent committed a SNAP IPV by intentionally making a false statement(s), misleading statement(s), making misrepresentation(s), concealing fact(s), withholding fact(s), or committing any act(s) that constitutes a violation of SNAP regulations.

The Respondent began working at [REDACTED] on November 29, 2021. The Respondent's income exceeded \$1,383 in January 2022 and should have reported this income to DHS by February 10, 2022. The Respondent failed to report this income to DHS by

February 10, 2022, and also failed to report it on a SNAP Renewal Form that he submitted to DHS on February 21, 2022. The Respondent reported only that he was no longer receiving Unemployment Insurance Benefits and that he was no longer paying rent and utilities, despite having started working at [REDACTED] in November 2021 and receiving his first paycheck from this employer on January 7, 2022. By failing to report this income to DHS, the Respondent concealed or withheld facts from DHS.

The Respondent also concealed or withheld facts about his income when he submitted a SNAP IR to DHS on October 4, 2022. On this SNAP IR, he did not report any income to DHS, despite receiving weekly paychecks from his employer prior to submitting the IR. The Respondent signed the SNAP Renewal and SNAP IR, under penalty of perjury, claiming that all information was true and accurate.

The Respondent was informed of his rights, responsibilities, and SNAP penalty warnings when he initially applied for SNAP, on pages 28 through 30 of the March 4, 2021, SNAP application. The Respondent was further informed of his rights, responsibilities, and SNAP penalty warnings upon receiving the SNAP BDN dated March 10, 2021. On this BDN, the Respondent was instructed to report any changes in income exceeding \$1,383 per month. The Respondent was also informed, "DO NOT lie or hide information to get or continue to get SNAP benefits that your household should not get."

The Respondent was also informed of his rights, responsibilities, and SNAP penalty warnings on a SNAP Renewal Notice, which he signed under penalty of perjury on February 21, 2022. The subsequent SNAP BDN issued on March 22, 2022, and SNAP IR he submitted to DHS on October 4, 2022, further informed the Respondent of the rights, responsibilities, and

SNAP penalty warnings. The Respondent signed the SNAP IR, under penalty of perjury, on October 4, 2022.

Despite being informed numerous times about SNAP rights and responsibilities and SNAP penalty warnings, the Respondent committed a SNAP IPV by failing to report his employment to DHS. The IPV occurred from February 11, 2022, to January 31, 2023, because the respondent failed to report his income as a Simplified Reporter when it exceeded \$1,383 in January 2022. The Respondent also failed to report his income on a subsequent SNAP Renewal Notice and SNAP IR in 2022. Despite having these chances to report his income to DHS, the Respondent intentionally concealed or withheld the fact that he was working from DHS.

IX. CONCLUSION OF LAW

After a careful review of the evidence and testimony presented at this Administrative Disqualification Hearing, the Agency has presented clear and convincing evidence that:

1. The Respondent was informed of the SNAP rights and responsibilities and SNAP penalty warnings.
2. The Respondent committed a SNAP IPV by intentionally not reporting income to DHS by the tenth day of the month following the month in which her monthly income exceeded \$1,383 in wages.
3. The Respondent failed to report his income to DHS on a SNAP Renewal Notice and SNAP IR, both of which he completed and signed under penalty of perjury.
4. The Respondent committed an IPV between February 11, 2022, and January 31, 2023.
5. Consequently, the Respondent, as head of household, will not be able to participate in SNAP for 12 months per 7 CFR 273.16 (b)(1)(i) and 218-RICR-20-00-1.9 (A)(3)(c)(1).

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 a true copy of the foregoing to [REDACTED]
[REDACTED], via regular mail, postage prepaid. Copies were sent via email to Agency Representatives Kimberly Seebeck, Brittny Medeiros, Iwona Ramian, Esq., Denise Tatro, Kimberly Rauch, Jenna Simeone, Kirsten Cornford, and the DHS Policy Office on this 3rd day of June, 2026.

Jamara Mendez

X. DECISION

Based on the foregoing findings of fact, conclusions of law, evidence, and testimony, it is found that a final order is hereby entered that the Respondent committed a SNAP IPV and is disqualified from participating in SNAP for 12 months.

AGENCY'S INTENTIONAL PROGRAM VIOLATION CHARGE IS GRANTED

/s/ Robert Pelosi

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 30 days of the mailing of this decision. Such an 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 a stay, or the reviewing court may order one, upon the appropriate terms.

Appeals are generally filed in the Providence County Superior Court. However, appeals affecting or concerning children under the age of 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 10 days of the filing of your appeal.