

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

Department of Human Services

V.

DOCKET No. 26-2564

[REDACTED]

DECISION

I. INTRODUCTION

A Microsoft Teams hearing on the above-entitled matter was conducted by an Administrative Disqualification Hearing Officer on June 3, 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], committed an Intentional Program Violation (IPV) of the Supplemental Nutrition Assistance Program (SNAP) in their SNAP Case, Bridges ID# [REDACTED]. The Agency argues that the Respondent failed to report their earned income despite being required to do so by April 10, 2021. Furthermore, the Agency argues that the Respondent withheld information about their earned income on a SNAP interim form and a 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 has been decided in 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 – Unemployment Income Verification for the Respondent from 2020-2021.

Exhibit #3 – Unemployment Income Verification for the Respondent for 2022.

Exhibit #4 – The Work Number Employment Verification for [REDACTED].

Exhibit #5 – August 28, 2020, SNAP Application.

Exhibit #6 – September 1, 2020, Benefit Decision Notice (BDN).

Exhibit #7 – January 27, 2022, SNAP Recertification.

Exhibit #8 – March 9, 2022, BDN.

Exhibit #9 – August 12, 2022, SNAP Interim.

Exhibit #10 – September 15, 2022, BDN.

Exhibit #11 – Electronic Disqualified Recipient System (eDRS) Search Results.

Exhibit #12 – March 18, 2026, SNAP IPV Packet.

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 and unearned income shall include unemployment income. See 7 C.F.R. §273.9(b)(1)(i) & 7 C.F.R. §273.9(b)(2)(ii).

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 130% of the Federal income poverty level. See 218-RICR-20-00-1.15(A)(7) (Effective September 13, 2020, to August 1, 2021). The maximum gross monthly income limit for a household of one was \$1,383.00 for the month of March 2021. See 218-RICR-20-00-1.15(E)(Table 1) (Effective September 13, 2020, to August 1, 2021).

VII. FINDINGS OF FACT

1. The Respondent was previously receiving SNAP.
2. The Respondent completed a SNAP application on August 28, 2020. Page 31 of the application contains 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 32 states that the Respondent must not lie or hide information to get or continue to get SNAP benefits that their household should not get.
3. The Respondent was a simplified reporter, as such they had the responsibility to report changes in their income that brought their household's gross income in excess of the gross income eligibility standard for their household size by the tenth day of the month following the month in which the change occurred.

4. The Respondent received a September 1, 2020, BDN. On page two, it instructs the Respondent that they need to inform DHS if their household's gross income exceeds \$1,354.00 no later than ten days after the end of the month when their income increases. Pages seven and eight contain the SNAP Penalty Warnings.
5. Per the Unemployment Income Verification for the Respondent from 2020-2021, the Respondent received \$556.00 on March 7, 2021, and \$412.00 on March 28, 2021, for a total of \$968.00 in unearned income in the month of March 2021.
6. The Respondent was hired by [REDACTED], on February 12, 2021.
7. Per the Work Number Employment Verification for [REDACTED], the Respondent received \$63.25 on March 5, 2021, \$477.31 on March 12, 2021, \$451.26 on March 19, 2021, and \$332.06 on March 26, 2021, for a total of \$1,323.88 in earned income in the month of March 2021.
8. The maximum gross monthly income limit for the Respondent's household was \$1,383.00 for the month of March 2021. The Respondent's gross monthly income for March 2021 was \$2,291.88.
9. Because the Respondent's gross income exceeded \$1,383.00 at the end of March 2021, the Respondent had a duty to report their income to DHS by April 10, 2021. The Respondent failed to do so.
10. The Respondent submitted a SNAP recertification form to DHS on January 27, 2022. The form includes clear instructions as to how to provide information and verification concerning the Respondent's earned income. The Respondent failed to complete the employment section of the form on page 5, 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 nine 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.

11. The Respondent submitted a SNAP interim form to DHS on August 12, 2022. The form includes clear instructions as to how to provide information and verification concerning the Respondent's earned income. On page 3 of the form, the Respondent describes their monthly job income as being \$0.00, however the Equifax Earned Income Verification for [REDACTED] clearly shows that they were working and receiving earned income at that time as well. By signing the SNAP interim form on page nine 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.
12. A DHS worker discovered that the Respondent was working at [REDACTED] when they processed the Respondent's SNAP interim form and sent a fraud referral to the Agency. The Respondent's SNAP case was closed as of September 30, 2022, as their total household income exceeded the SNAP benefit limit.
13. 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.
14. On March 18, 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 form, an IPV notice for unreported earned income from April 11, 2021, to September 30, 2022, and a statement explaining that a potential overpayment referral will be sent to the claims collection recovery unit.

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] by April 10, 2021, and by withholding that same information on the January 27, 2022, SNAP Recertification and the August 12, 2022, SNAP Interim, 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 September 1, 2020, BDN clearly states that the Respondent has a duty to notify DHS if their household's gross income exceeds \$1354.00 and to do so by no later than ten days after the end of the month in which their income increases. The Work Number Employment Verification for [REDACTED] clearly shows that the Respondent received \$1,323.88 in earned income in the month of March 2021 and the Unemployment Income Verification for the Respondent from 2020-2021 clearly shows that the Respondent received \$968.00 in unearned income that same month. The Respondent's total income for March 2021 was \$2,291.88. Because the Respondent's total income for March 2021 exceeded the maximum gross monthly income limit of \$1,383.00 the Respondent had a duty to report their income to DHS by April 10, 2021, and the Respondent failed to do so. Furthermore, the Respondent was clearly instructed to provide information about their earned income on their SNAP recertification and SNAP interim forms, and they failed to do that as well. The BDNs, SNAP applications, SNAP interim forms, and SNAP recertification forms received by the Respondent clearly show that the Respondent was informed of the SNAP Penalties for intentionally breaking a SNAP rule and of the penalties for perjury. By failing to report their household income to DHS by April 10, 2021, and by withholding their earned income information from

[REDACTED] on the January 27, 2022, SNAP Recertification and the August 12, 2022, SNAP Interim, 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 hearing, this Appeals Officer concludes that:

1. The Respondent began to work for [REDACTED], on February 12, 2021.
2. The Respondent's household's gross income exceeded the eligibility standard for a household of one in March 2021.
3. The Respondent failed to inform DHS that their household's gross income exceeded the eligibility standard for a household of one by April 10, 2021.
4. The Respondent failed to report their earned income from [REDACTED], on the January 27, 2022, SNAP Recertification and the August 12, 2022, SNAP Interim.
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 April 10, 2021, and their failure to report their earned income on the January 27, 2022, SNAP Recertification and the August 12, 2022, SNAP Interim 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, Brittny Medeiros, Kirsten Cornford, Iwona Ramian, Esq., Vania Rebollo, Kimberly Rauch, Jenna Simeone, Jessica Patroia, and the DHS Policy Office at dhs.policyquestions@dhs.ri.gov on this 9th day of June, 2026.

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