

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

[REDACTED] Docket #: 26-2636

V. Case #: [REDACTED]

Department of Human Services Appeal #: [REDACTED]

DECISION

INTRODUCTION

The Appellant, [REDACTED], initiated this matter to appeal the Supplemental Nutrition Assistance Program (SNAP) reduction made by the Department of Human Services (DHS). A Microsoft Teams hearing in this matter occurred on Tuesday, July 7, 2026, at 11:00 AM. The Appellant did not elect the option of a video hearing. For the reasons discussed in more detail below, the Appellant's appeal is denied.

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 210-RICR-10-05-2 and the Administrative Procedures Act (R.I.G.L. § 42-35-1 et. seq.).

ISSUE

The issue is whether the SNAP reduction of April 4, 2026, was done in compliance with federal and state regulations.

STANDARD OF PROOF

It is well settled that in adjudications modeled on the Federal Administrative Procedures Act, a preponderance of the evidence is required to prevail. This means that for each element to be proven, the factfinder must believe that the facts asserted are more probably true than false. 2 Richard J. Pierce, *Administrative Law Treaties* § 10.7 (2002) & see *Lyons v. Rhode Island Pub. Employees Council* 94, 559 A.2d 130, 134 (R.I. 1989). When there is no direct evidence on a particular issue, a fair preponderance of the evidence may be supported by circumstantial evidence. *Narragansett Electric Co. vs. Carbone*, 898 A.2d 87 (R.I. 2006).

PARTIES AND EXHIBITS

In attendance at the hearing were:

- DHS Eligibility Technician III Stephen Gossman
- The Appellant's Authorized Representative and Guardian [REDACTED]

The following exhibits were presented as evidence:

- Agreement to Pay Room and Board dated March 23, 2026
- The Appellant's Appeal
- Benefits Decision Notice of April 4, 2026
- Social Security Administration – Benefit Verification Letter dated March 22, 2026
- Certificate of Appointment from the [REDACTED] RI Probate Court

OBJECTIONS AND MOTIONS

The Appellant objected to the entering of several exhibits as they related to actions taken on the Appellant's case during the appeal process and represent changes after the notice under appeal. The Appellant's objection to relevance was sustained and the documents were not allowed in. DHS objected

to the ruling which was noted for the record of hearing. These documents included an updated Agreement to Pay Room and Board, and a Benefits Decision Notice of April 28, 2026.

The Appellant requested aid-pending. This request was submitted timely. However, this was not initially put in place by DHS. DHS corrected this following a meeting on this matter and continued the fix following the Appellant raising that July 2026 was not given aid-pending.

FINDINGS OF FACT

Prior to March of 2026, the Appellant was receiving \$994 a month in SSI. They were receiving the maximum of \$298 in SNAP benefits. It is unclear what, if anything, the Appellant was paying for rent or utilities. Social Security has determined that the Appellant has been disabled since December 13, 2014. The Appellant's SNAP household consists of just the Appellant.

In March of 2026, the Appellant's circumstances changed. Changes include the Appellant paying \$800 for rent and utilities; \$710 in rent and \$90 in utilities between gas and electricity. The Appellant also transitioned from SSI to RSDI with the retirement of the Appellant's father. This resulted in the Appellant's income increasing to \$1,760 a month with the first payment being received in April 2026.

These changes were reported timely. The necessary verification was requested and received by DHS. On April 4, 2026, DHS issued the Benefits Decision Notice under appeal where DHS decreased the Appellant's SNAP benefit amount to \$66 a month. The reasons for the changes were 1) an increase in unearned income and 2) a decrease in housing/utility expenses.

RELEVANT LAW/REGULATIONS

The amount of SNAP a household receives is dependent upon their countable income and certain allowable expenses. 218-RICR-20-00-1.15 & -1.15.1. Unearned income from Social Security, including SSI and RSDI, is countable for SNAP. 218-RICR-20-00-1.5.2 (A)(2)(a)(1 & 2).

To determine the benefit amount, the total unearned income is used then a *standard deduction* is subtracted. For a household of one person, the standard deduction is \$209 a month. 218-RICR-20-00-1.5.7 (A)(6)(b). This is the *tentative net income*.

An *excess shelter deduction* is then calculated and deducted from the tentative net income. For a SNAP household with a disabled member, the excess shelter deduction is not capped. The excess shelter deduction is the rent and utilities costs that exceed 50% of the household's tentative net income. If someone pays a heating or cooling expense, the *standard utility allowance* is used for the utility costs, regardless of the actual cost of utilities. 218-RICR-20-00-1.5.7 (A)(6)(e). The standard utility allowance is \$844 a month. 218-RICR-20-00-1.5.7 (C)(2)(i).

Once the excess shelter deduction is calculated, it is subtracted from the tentative net income to determine the *net income* of the household. 218-RICR-20-00-1.15 (D). 30% of the net income is calculated and subtracted from the *maximum SNAP benefit amount* for the household size. The remaining amount is the *households SNAP benefit amount*. The maximum SNAP benefit amount for a household of one person is \$298 a month. 218-RICR-20-00-1.15.1 (D).

DISCUSSION

The Appellant is challenging the calculation of their SNAP benefits on the April 4, 2026, Benefits Decision Notice. Calculating the Appellant's SNAP benefit amount based on the documentation and information available shows the calculation is correct.

Effective April 2026, the Appellant receives \$1,760 a month in RSDI. The standard deduction of \$209 is subtracted from the RSDI, resulting in a tentative net income of \$1,551.

The excess shelter deduction is calculated by determining by totaling the rent and the standard utility allowance and then subtracting half of the tentative net income. In the Appellant's case they have \$710 in rent plus the \$844 standard utility allowance. This totals \$1,554 in shelter costs. After subtracting half of the tentative net income (\$775.50), the resulting \$882.50 is the Appellant's net income.

The households SNAP benefit amount is figured by taking 30% of the net income, which equals \$232 after the required rounding, and subtracting it from the maximum benefit amount of \$298. This results in a benefit amount of \$66, the same figure determined by DHS.

The Appellant raises issue with the notice that the change resulted from both an increase in unearned income and a decrease in housing/utility expenses. The record is clear that there was an increase in unearned income with the transition from SSI to RSDI. There is no evidence on the record of what the Appellant's housing/utility expense were when the Appellant was on SSI. However, doing the same SNAP calculation shows that DHS must have had some form of housing/utility expenses for the Appellant while they were on SSI as they would not qualify for the full benefit amount, like they previously had, without it.

CONCLUSION OF LAW

After careful review of the testimony and evidence present at the administrative hearing, this tribunal concludes:

1. The SNAP calculation on the April 4, 2026, Benefit Decision Notice is correct.

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 the SNAP calculation made by DHS.

APPEAL DENIED

/s/ Shawn J. Masse

Shawn J. Masse

Appeals Officer

APPENDIX

Pre March 2026 Calculation – Assuming No Rent Expense	
Gross Income (A)	\$994
Standard Deduction (B)	\$209
Tentative Net Income (C = A - B)	\$785
Rent (D)	Unknown, assuming \$0
Standard Utility Allowance (E) (Those individuals without heating or cooling expenses are given a Heat & Eat grant by the state to qualify for the standard utility allowance)	\$844
Total Shelter Costs (F = D + E)	\$844
50% of Tentative Net Income (G = C / 2)	\$392.50
Excess Shelter Deduction (H = F - G)	\$451.50
Net Income (I = C - H, rounded)	\$334
Max SNAP Benefit Amount (J)	\$298
30% of Net Income (K = I * .3, rounded)	\$100
SNAP Benefit Amount (L = J - K)	\$198

April 2026 Benefit Calculation	
Gross Income (A)	\$1,760
Standard Deduction (B)	\$209
Tentative Net Income (C = A - B)	\$1,551
Rent (D)	\$710
Standard Utility Allowance (E)	\$844
Total Shelter Costs (F = D + E)	\$1,554
50% of Tentative Net Income (G = C / 2)	\$775.50
Excess Shelter Deduction (H = F - G)	\$778.50
Net Income (I = C - H, rounded)	\$773
Max SNAP Benefit Amount (J)	\$298
30% of Net Income (K = I * .3, rounded)	\$235
SNAP Benefit Amount (L = J - K)	\$66

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], [REDACTED], [REDACTED], [REDACTED], [REDACTED], and to [REDACTED], [REDACTED]; copies were sent, via email, to [REDACTED], [REDACTED], [REDACTED], the DHS Appeals Unit at DHS.Appeals@dhs.ri.gov, the DHS Policy Unit at DHS.PolicyQuestions@dhs.ri.gov, and Kirsten Cornford on this 17th day of July, 2026.

