

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

Docket #:
26-3491, 26-3691, & 26-3692

Case #:

V.

Department of Human Services

Appeal #:

DECISION

INTRODUCTION

The Appellant, [REDACTED], initiated this matter to appeal the closure of their Rhode Island Works (RIW) benefits made by the Department of Human Services (DHS). A Microsoft Teams hearing in this matter occurred on July 9, 2026, at 2:00 PM. 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 closure of the Appellants RIW eligibility 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

The following exhibits were presented as evidence:

- The Appellant's three Appeals
- DHS-1010 combined Notice of Expiration/Renewal Form & Recertification/Renewal Notice issued to the Appellant
- RI Bridges printout of the Appellant's Eligibility Determination Results
- Renewal Reminder/Update Notice – Notice of Adverse Action issued to the Appellant
- Important Information – Please Read notice issued to the Appellant
- TuaPath Notice issued to the Appellant
- RI Bridges printout of the Redetermination Review screen from the Appellant's case
- Two emails between the Appellant and Equus

- Enrollment Details Screen/Confirmation printout
- Four printouts of complaints filed with the United States Postal Service regarding the Appellant's mail.
- A photo with metadata of a manilla envelope mailed by DHS to the Appellant

RELEVANT LAW/REGULATIONS

RIW is Rhode Island's implementation of cash assistance under the Temporary Assistance to Needy Families (TANF) program. RIW requires that all parents and caretaker relatives that received RIW benefits must enter an employment plan and participate in the plan unless exempt. 218-RICR-20-00-2.10.3 & -2.11.1. Failure to comply with a work plan can result in a reduction of benefits. 218-RICR-20-00-2.11.9. The work plan is developed with an RIW worker (i.e., Employment and Career Advisor). This plan considers education, skills, and other factors that can impact employment. 218-RICR-20-00-2.10.3.

In addition to the work plan, RIW recipients need to recertify whenever it is expected a significant change occurs and at least once every 12 months. 218-RICR-20-00-2.23.1 (A). While the work plan is focused on the factors related to employment, the recertification focuses on eligibility factors such as resources. Compare 218-RICR-20-00-2.10.3 with 218-RICR-20-00-2.23.1 et seq. Failure to recertify will result in the closure of RIW benefits. See 218-RICR-20-00-2.23.3 (C).

FINDINGS OF FACT

The Appellant was active on RIW. On April 1, 2026, the Appellant was issued a Notice of Expiration/Renewal Form combined with a Recertification/Renewal Notice. These notices advised the Appellant that they needed to complete the Recertification/Renewal Notice and have an interview within 30 days to keep their RIW case active, otherwise their RIW case will close. The Appellant was also sent a Renewal Reminder/Update Notice – Notice of Adverse Action on May 3, 2026, reminding them of the need to complete the Recertification/Renewal Notice and have the interview. It also reminded the Appellant that their RIW case would close on May 31, 2026, if they do not turn in the completed

Recertification/Renewal Notice. The Appellant never completed the Recertification/Renewal Notice and their RIW case closed.

During this time, the Appellant had an active work plan which was approved through August 2026. The Appellant argues that because this plan was approved, they should not have needed to renew until August/September 2026. The Appellant also talked with their Employment and Career Advisor which led the Appellant to believe that they were not up for recertification yet.

DISCUSSION

The Appellant's RIW case was closed for not recertifying. The Appellant argues that they had an active work plan, so they were not due to recertify. However, the Appellant's argument compounds two different things. The requirement to have and renew a work plan is separate and apart from the requirement to recertify. The work plan is focused on factors that impact employability and assist in overcoming those factors. The recertification is instead focused on the eligibility aspects, such as resources. These are two separate aspects of eligibility, both of which need to be periodically reviewed, but can be on different schedules. In which case it is possible for a work plan not to be due for renewal until after a recipient must recertify. Both aspects need to be kept current to stay active on RIW.

The Appellant was also given advance notice of this duty to recertify and the impact of failing to do so. The Appellant was sent a Notice of Expiration/Renewal Form and the Recertification/Renewal Notice on April 1. That gave the Appellant a month to complete and return the Recertification/Renewal Notice. Furthermore, DHS sent the Appellant a reminder on May 3, 2026, that they still needed to complete the Recertification/Renewal Notice. Both mailings were clear that the Appellant's case would close on May 31, 2026, if the completed Recertification/Renewal Notice was not completed and returned. The Appellant never submitted the completed Recertification/Renewal Notice to DHS.

CONCLUSION OF LAW

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

1. The Appellant had an active work plan. However, an active work plan does not replace the requirement to recertify eligibility in a timely fashion.
2. The Appellant failed to complete and return the Recertification/Renewal Notice.

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 closure of the Appellant's RIW case by DHS.

APPEAL DENIED

/s/ Shawn J. Masse

Shawn J. Masse

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], 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 22ND day of JULY, 2026.

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