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

[redacted] Docket #: 26-3753

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) closure made by the Department of Human Services (DHS) for exhausting the 3-month eligibility limit for an Able-Body Adult without Dependents (ABAWD). A Microsoft Teams hearing in this matter occurred on August 21, 2026, at 11:00 AM. The Appellant did not elect the option of a video hearing. For the reasons discussed in more details below, the Appellant's appeal is granted.

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 Appellant's SNAP benefits for reaching the ABAWD limit 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:

- The Appellant
- DHS Eligibility Technician III Stephen Gossman

The following exhibits were presented as evidence:

- The Appellant's Appeal request
- ABAWD Location Waiver Ending letter dated January 19, 2026
- Important Information About Your SNAP Benefits letters dated on February 27, 2026, and March 31, 2026.
- ABAWD 3-Month Time Limit Reached letter dated May 2, 2026
- Benefits Decision notice dated May 20, 2026
- ABAWD Combined Activity Reporting Forms completed by the Appellant for March and April 2026.
- Eligibility Determination Results for the Appellant's case
- Select provisions of 218-RICR-20-00-1

RELEVANT LAW/REGULATIONS

Someone is considered an ABAWD if they are 18-64 years old, can work, are not pregnant, and are not living in a SNAP household with a minor. ABAWD's are required to work an average of 20 hours a week, participate in a work program an average of 20 hours a week, or a combination of the two equaling at least an average of 20 hours a week. Someone could also be exempt from the work requirement. This includes living in a waived zip-code. If someone is not exempt and does not meet the work requirement, they can only receive 3-months of SNAP within the states 3-year period. Rhode Island's current 3-year period runs from September 1, 2023, through August 31, 2026. 218-RICR-20-00-1.11.9.

OBJECTIONS AND MOTIONS

At hearing, the Appellant requested the record to be held open to allow the submission of additional documents. DHS objected. The Appellant stated that they wanted to submit documents that clarify the Appellant's activities on their ABAWD Combined Activity Reporting Forms. As these were documents not presented to DHS at the time of determination, the objection was upheld. Nonetheless, the Appellant submitted additional documents which are not being considered as part of this decision.

FINDINGS OF FACT

The Appellant was previously approved for SNAP. They were previously exempt from the ABAWD work requirement as they lived in an exempt zip code. The Appellant's zip code lost its waiver status starting in March 2026. This resulted in the Appellant needing to comply with the ABAWD work requirements. The Appellant was sent various notices dated January 19, February 27, March 31, May 2, and May 20, 2026, regarding the ABAWD requirement and what is needed to meet the work requirement. The Appellant submitted completed ABAWD Combined Activity Reporting Forms for March and April 2026 on May 20, 2026. These forms were date stamped by DHS as being received the following day, May 21, 2026. The Appellant reported sufficient hours to meet the work requirement.

DHS countered that they processed the closure of the Appellant's case before the ABAWD Combined Activity Reporting Forms were received. This closure was effective May 31, 2026. None of the notices issued by DHS specify a due date for the Appellant to return verification of meeting the work requirement to avoid closure of their SNAP benefits.

DHS also argues that the ABAWD Combined Activity Reporting Forms lack sufficient details for DHS to verify the activities. The ABAWD Combined Activity Reporting Form required the Appellant to list the activity type, location, total hours per month, and get a supervisor's signature for each activity. All fields were completed on both submitted forms.

DISCUSSION

DHS argues that because the ABAWD Combined Activity Forms were received the day after the Appellant's SNAP case closure was processed, the closure should stand. However, this argument fails. First, the Appellant was never informed of any due date for the verification to keep benefits continuing beyond May 31, 2026. Second, while DHS processed the closure on May 20, 2026, the closure was not effective until May 31, 2026. The Appellant submitted the ABAWD Combined Activity Forms prior to their case closure date. As such, DHS should have reevaluated the case based on these documents, updated eligibility, and issued a new Benefits Decision notice.

DHS also argues that the ABAWD Combined Activity Reporting Forms do not contain enough information to allow DHS to verify that the activities qualify. The ABAWD Combined Reporting Form was created by DHS. It gives SNAP recipients a place to put their information (Section 1) such as name, contact information, and case number. It also provides a table to provide information for up to seven activities (Section 2). This includes columns for the activity type, location, total hours per month, and a supervisor's signature. Here the Appellant listed six different activities. Under activity type, the Appellant listed each activity as either volunteer or training and the organization or training topic for each activity.

For location, each activity is listed as being either remote or in Providence, RI. For the total hours per month, a number between 5 and 30 is listed. Finally, a signature is present for each supervisor's signature.

While there could be an argument for additional details being included, it is not clear from the form that the recipient would need to provide this information. Nor is there a spot in the chart to put that information. One cannot fault the Appellant for completing the provided form but not providing the additional information that DHS was looking for without DHS asking for that information on the form. It is up to DHS to make sure that their provided forms are clear on what information is needed.

CONCLUSION OF LAW

After careful review of the testimony and evidence present at the administrative hearing:

1. The Appellant's ABAWD Combined Activity Reporting Forms were timely received.
2. The Appellant sufficiently completed the ABAWD Combined Activity Reporting Forms.

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 not sufficient evidence to support DHS' closure of the Appellant's SNAP benefits.

FOLLOW UP ACTIONS

Within ten business days of the certification of this decision, DHS is to reprocess the Appellant's SNAP case based on the completed ABAWD Combined Activity Reporting Forms. This includes issuing a new Benefits Decision Notice, adjusting used months, and issuing SNAP benefits.

APPEAL GRANTED

/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 28th day of August, 2026.

