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

Department of Human
Services

Docket No. 26-3815

v.

[redacted]

DECISION

I. INTRODUCTION

A telephonic hearing on the above-entitled matter was conducted by an Administrative Disqualification Hearing Officer on July 30, 2026. The Department of Administration, Office of Internal Audit, Fraud Unit (the Agency), on behalf of the Department of Human Services (DHS), initiated this matter for an Administrative Disqualification Hearing to examine the charge against [redacted] (Respondent), had committed an Intentional Program Violation (IPV) of the Supplemental Nutrition Assistance Program (SNAP). The Agency argues that the Respondent failed to disclose her permanent disqualification to participate in the SNAP program on seven occasions when she applied for SNAP and six subsequent Recertifications. Due to the above reason, the Agency is seeking the Respondent be charged with an IPV for the period August 31, 2016, through April 30, 2026, and be permanently disqualified from participating in the SNAP program. For the reasons discussed in more detail below, the Administrative Disqualification Hearing has been decided in favor of the Agency.

II. 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 the Administrative Procedures Act, R.I.G.L. §42-35-1, and 210-RICR-10-05-2.

III. ISSUE

The issue is whether the Respondent committed a SNAP IPV by intentionally making a false statement, or by misrepresenting, concealing, or withholding facts to receive SNAP benefits that she was not entitled to, in accordance with Federal and State regulations as set forth below.

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.

V. PARTIES AND EXHIBITS

Present for the Agency was Internal Auditor Brittny Medeiros (Auditor), the Agency submitted the following evidence as exhibits:

- Massachusetts Department of Public Welfare (presently known as Massachusetts Department of Transitional Assistance) Permanent Disqualification Decision dated March 20, 1992, decision date March 3, 1992.
- Electronic Disqualified Recipient System (eDRS) obtained April 27, 2026.
- Case notes dated August 31, 2016, through October 1, 2025.
- Benefits Decision Notice (BDN) dated October 12, 2016.
- Mid-Certification Notice- Change Report Form (Mid-Certification) dated July 8, 2017.
- Recertification/Renewal Notice (Recertification) dated July 1, 2018.

- BDN dated July 19, 2018.
- BDN dated December 7, 2019.
- Recertification dated July 1, 2020.
- BDN dated July 10, 2020.
- Recertification dated July 1, 2020.
- BDN dated September 14, 2022.
- Recertification dated August 1, 2025.
- BDN dated October 1, 2025.
- SNAP Notice, including waiver, dated April 29, 2026.
- SNAP Notice, including waiver, dated May 29, 2026.

The Respondent did not appear for the scheduled Hearing. In accordance with 7 C.F.R. §273.16(e)(4) and 218-RICR-20-00-1, §1.23(K)(13), if the household member or its representative fails to appear at the hearing without good cause, the hearing is conducted without the Respondent present. The hearing commenced at 9:11 a.m. without the Respondent present or represented.

VI. RELEVANT LAW/REGULATIONS

7 C.F.R. §273.16 (c), entitled "Disqualification for Intentional Program Violation (IPV), defines an IPV as intentionally making false or misleading statements, or misrepresenting, concealing, or 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 of SNAP benefits or EBT cards." To determine whether an intentional program violation has occurred, 7 C.F.R. § 273.16(e)(6), requires the State Agency to conduct an administrative disqualification hearing and to determine whether there is clear and convincing evidence that an IPV occurred.

Similarly, Rhode Island State counterpart, 218-RICR-20-00-1.9(A), entitled "Intentional Program Violations" provides that "The Office of Internal Audit is responsible for investigating any case of alleged intentional program violation 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 must be initiated whenever there is sufficient documentary evidence to substantiate that an individual has intentionally committed one (1) or more acts of intentional violation as defined in § 1.9(A)(3) of this Part."

VII. FINDINGS OF FACT

1. The Office of Internal Audit, Fraud Unit received a referral from DHS claiming that the Respondent did not report she was permanently disqualified from participating in the SNAP program.
2. 218-RICR-20-00-1.9(C) states that IPV violations consist of intentionally making a false or misleading statement, misrepresented, concealed, or withheld facts when reporting their circumstances to the Agency.
3. The Respondent was permanently disqualified from the SNAP program in Massachusetts effective April 1, 1992, following a 12 month disqualification effective April 20, 1991. The disqualifications were sent to the Respondent via certified mail and they were not returned. The eDRS confirms the permanent disqualification as the Social Security numbers match.
4. Between 2016 and 2025, the Respondent filed an application and six subsequent Recertifications with Rhode Island DHS. At no point did the Respondent disclose that she had a permanent disqualification.
5. On August 31, 2016, the Respondent applied for SNAP benefits in Rhode Island while having a permanent disqualification, which was placed on her in Massachusetts.

6. On July 1, 2017, the Respondent renewed her SNAP benefits and did not disclose she was permanently disqualified from participating in the SNAP program. She signed the Recertification under the penalty of perjury warning.
7. The Respondent again recertified on July 1, 2018. An interview was conducted and the Respondent did not disclose she had a permanent disqualification. A BDN was issued, advising the Respondent of the penalty for perjury.
8. On September 20, 2019, the Respondent completed a Mid-Certification for SNAP benefits without disclosing her permanent disqualification from participating in the SNAP program. The Mid-Certification the Respondent submitted contained the penalty for perjury warning, as well as her rights and reporting responsibilities.
9. On July 1, 2020, the Respondent recertified her SNAP benefits and did not disclose her permanent disqualification. The Respondent signed under the penalty of perjury warning, and the BDN also contained her rights and reporting responsibilities.
10. On July 1, 2022, the Respondent again recertified her SNAP benefits and did not disclose her permanent disqualification from participating in the SNAP program in Massachusetts. The Respondent signed the Recertification under the penalty of perjury. The Respondent did not disclose her disqualification during the interview conducted on September 14, 2022. A BDN was issued to her on September 14, 2022, containing her rights and reporting responsibilities.
11. On August 1, 2025, the Respondent recertified her SNAP benefits and did not disclose her permanent disqualification for SNAP participation. A BDN was issued on October 1, 2025, and contained her rights and reporting responsibilities.
12. On April 26, 2026, the Auditor mailed the SNAP packet to the Respondent advising her she was being charged with an IPV for obtaining SNAP benefits under false pretenses; and the State was seeking to have her permanently disqualified from participating in the SNAP program. The

SNAP packet also included the Respondent's rights as well as a waiver to she could sign if she wanted to waive her right to an Administrative Disqualification Hearing.

13. On June 3, 2026, the Auditor spoke with the Respondent, who stated she would sign the waiver. However, the Respondent did not sign the waiver, there was no further communication from the Respondent, and a hearing commenced on July 30, 2026.

VIII. DISCUSSION

The Agency maintains that the Respondent intentionally failed to report she was permanently disqualified from participating in the SNAP program when she applied for SNAP in Rhode Island and on six subsequent Recertifications. The Agency argues the evidence is clear and convincing that the Respondent committed an IPV from August 16, 2016, through, April 30, 2026, and is seeking a permanent disqualification based on the fact that she failed to disclose her prior permanent disqualifications.

The evidence establishes that the Respondent submitted her application for SNAP benefits on August 31, 2016. Page19 of the application asks, "Have you or any member of your household been barred from participating in the SNAP/Food Stamp Program in another State?", to which the Respondent checked "NO", indicating she had not been barred in another state. She again did not report she had permanent disqualifications from participating in the SNAP program when interviewed for six subsequent Recertifications.

The application and recertifications clearly state one of her responsibilities is to supply accurate information about her circumstances with a statement of **"DO NOT lie or hide information to get or continue to get SNAP benefits that your household should not get."** Her signature is her attestation that she understood the questions and the penalty for hiding or providing false information

or breaking any of the rules listed in the penalty warning, one of which is to report prior SNAP disqualifications.

Therefore, the Respondent intentionally provided false information, concealed information, and otherwise intentionally failed to report that she was previously permanently disqualified from SNAP participation. Accordingly, there is clear and convincing evidence that the Respondent committed an IPV on August 31, 2016, when she failed to report her prior SNAP disqualifications. The Respondent violated SNAP Regulations 218-RICR-20-00-1, §1.9(3)(1) and 7 C.F.R. §273.16(3)(1), that defines an IPV.

IX. CONCLUSION OF LAW

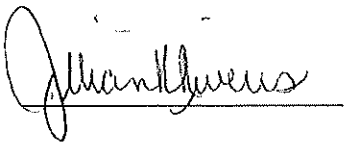
After careful review of the testimony and evidence presented at the Administrative Hearing, it is clear that:

1. The Agency has demonstrated by clear and convincing evidence that the Respondent knowingly failed to report to DHS her true household circumstances, i.e. her prior SNAP disqualifications, on her application and subsequent Recertifications or during her interviews. The Respondent signed and dated the SNAP application and recertifications under the Penalty Warning, attesting that her answers were correct and true to the best of her knowledge.
2. Consequently, the Respondent, as head of the household, will not be able to participate in SNAP permanently per 7 C.F.R. §273.16(b)(1)(iii), SNAP regulations 218-RICR-20-00-1, §1.9(A)(3)(c)(3), which states, in pertinent part, "Individuals found to have committed an IPV through an Administrative Disqualification Hearing shall be ineligible to participate in the program permanently for the third (3rd) occasion of any intentional program violation."

X. DECISION

Based on the foregoing findings of fact, conclusions of law, evidence, and testimony it is found that a final order be entered granting the Agency's request for an IPV against the Respondent, and to have the Respondent permanently disqualified from participating in the SNAP program.

AGENCY'S INTENTIONAL PROGRAM VIOLATION CHARGE IS GRANTED.



Jillian R. Rivers

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.

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

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 DOA Representatives Brittny Medeiros, Kimberly Seebeck; and DHS representatives, Vania Rebollo, Iwona Ramian, Esq., Kimberly Rauch, Jenna Simeone, Jessica Patrolia, Kirsten Cornford, and the DHS Policy Office on this 17th day of August, 2026.