

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

Department of Human Services

V.

DOCKET No. 26-3849

[REDACTED]

DECISION

I. INTRODUCTION

A Microsoft Teams hearing on the above-entitled matter was conducted by an Administrative Disqualification Hearing Officer on July 27, 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], had committed an Intentional Program Violation (IPV) of the Supplemental Nutrition Assistance Program (SNAP). The Respondent’s RI Bridges case identification number is [REDACTED]. The Agency argues that the Respondent committed a SNAP IPV by misusing their SNAP benefits when they transferred their benefits to several people. The Agency argues that the misuse occurred from October 7, 2025, to April 6, 2026. 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 misusing their SNAP benefits?

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

Present for the Agency was Senior Fraud Internal Auditor, Timothy S. Lackey, who investigated the Respondent's case and provided testimony based on the facts established in determining an IPV of the SNAP regulations. The Agency offered the following exhibits as evidence at the hearing:

Exhibit #1 – IPV Regulations.

Exhibit #2 – Excessive Replacement Card and Excessive Replacement Fraud Referral Notices.

Exhibit #3 – The Respondent's SNAP EBT Replacement Card History.

Exhibit #4 – RI Bridges Case Search Summary for Case # [REDACTED]

Exhibit #5 – RI SNAP Household and Authorized Representative Regulations.

Exhibit #6 – RI DHS Request to FIS to Add Changes to PIN Changes.

Exhibit #7 – EBT EDGE Telephone Balance Inquiries from October 7, 2025, to April 6, 2026.

Exhibit #8 – The Respondent's Illegal Narcotic Charge Case Summary and WINFACTS
Incarceration Information.

Exhibit #9 – The Respondent's RI DMV Photograph.

Exhibit #10 – Video of the October 7, 2025, [REDACTED] Transaction.

Exhibit #11 – EBT Edge Transaction, Receipt, and Still Photographs of the October 7, 2025, [REDACTED]
[REDACTED] Transaction.

Exhibit #12 – Video of the October 9, 2025, [REDACTED] Transaction.

Exhibit #13 – EBT Edge Transaction Receipt and Still Photographs of the October 9, 2025, [REDACTED]
[REDACTED] Transaction.

Exhibit #14 – Video of the November 14, 2025, [REDACTED] Transaction.

Exhibit #15 – EBT Edge Transaction Receipt and Still Photographs of the November 14, 2025,
[REDACTED] Transaction.

Exhibit #16 – Video of the December 2, 2025, [REDACTED] Transaction.

Exhibit #17 – EBT Edge Transaction Receipt and Still Photographs of the December 2, 2025,
[REDACTED] Transaction.

Exhibit #18 – EBT Edge Transactions from January 3, 2026, to February 2, 2026.

Exhibit #19 – [REDACTED] Information, EBT Edge Transactions
Receipt, and [REDACTED] EBT Card Account Information.

Exhibit #20 – [REDACTED] RI DMV License Photograph.

Exhibit #21 – Video of the March 1, 2026, [REDACTED] Transaction.

Exhibit #22 – EBT Edge Transaction Receipt and Still Photographs of the March 1, 2026, [REDACTED] Transaction.

Exhibit #23 – EBT Edge Transaction Receipts from April 5, 2026, and April 6, 2026, and EBT Edge Database Information from October 1, 2025, to April 17, 2026.

Exhibit #24 – [REDACTED] RI Bridges Case Summary for Case # [REDACTED]

Exhibit #25 – Accurint Report for [REDACTED].

Exhibit #26 – The Respondent's June 18, 2025, SNAP Application.

Exhibit #27 – September 13, 2025, Benefit Decision Notice.

Exhibit #28 – Electronic Disqualified Recipient System (eDRS) Search Results.

Exhibit #29 – May 23, 2026, SNAP IPV Waiver 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.” See 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. If there is a finding that there was an IPV, the disqualification penalty for the violation is 12 months for the first violation. See 7 C.F.R. §273.16(b)(1)(i).

Similarly, Rhode Island state counterpart, 218-RICR-20-00-1.9, provides that the “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 be initiated whenever there is sufficient documentary evidence to substantiate” that an IPV occurred.

Any person who by any fraudulent device obtains, or attempts to obtain, or aids or abets any person to obtain, public assistance, pursuant to this chapter, to which he or she is not entitled, or who willfully fails to report income or resources as provided in this chapter, shall be guilty of larceny and, upon conviction thereof, shall be punished by imprisonment of not more than five years or by a fine of not more than \$1,000 or both, if the value of the public assistance to which he or she is not entitled shall exceed \$500; or by imprisonment by less than one year or by a fine of not more than \$500, or by both, if the value of the public assistance to which he or she is not entitled shall not exceed \$500. See Rhode Island General Laws § 40-6-15.

A household is composed of any of the following individuals or groups of individuals, provided they are not residents of an institution (except as otherwise specified in § 1.2.8 of this Part), are not residents of a commercial boarding house, or are not boarders (except as otherwise specified in § 1.2.6 of this Part): 1. An individual living alone; 2. An individual living with others, but customarily purchasing food and preparing meals for home consumption separate and apart from others; or 3. A group of individuals who live together and customarily purchase food and prepare meals together for home consumption. See 218-RICR-20-00-1.2.1(A).

An authorized representative is a person designated by the head of the household or the spouse, or any other responsible member of the household, to act on behalf of the household in applying for program benefits or using the SNAP benefits. See 218-RICR-20-00-1.2.11(A)(1).

VII. FINDINGS OF FACT

1. The Agency began an investigation of the Respondent on September 27, 2023, after it received a referral from DHS. The referral claimed that the Respondent was requesting an unusually high number of EBT cards.
2. The Respondent was previously approved for SNAP as a household of one.
3. The Respondent did not designate an authorized representative for their SNAP case.
4. The Respondent has requested 49 EBT cards.
5. Per the Respondent's EBT SNAP Replacement Card History, the Respondent requested five new EBT cards between October 7, 2025, and April 6, 2026.
6. Between October 7, 2025, and April 6, 2026, there were several telephone balance inquiries for the Respondent's EBT account conducted from unknown numbers and from a phone number belonging to [REDACTED], who is not a RI DHS client. [REDACTED] phone number was used to change the PIN for the Respondent's EBT card on two separate occasions during the October 7, 2025, to April 6, 2026, period.
7. On October 7, 2025, an unknown Black Man was photographed and recorded in a [REDACTED] store, using the Respondent's EBT Card to purchase \$89.62 worth of food items. The EBT Edge Transaction, Receipt, and Still Photographs of the October 7, 2025, [REDACTED] Transaction along with the Video of the October 7, 2025, [REDACTED] Transaction clearly shows that the unknown Black Man was using the Respondent's recently requested EBT Card ending in 4198.
8. On October 9, 2025, an unknown Black Woman was photographed and recorded in a [REDACTED] store, using the Respondent's EBT Card to purchase \$34.84 worth of food items. The EBT Edge Transaction Receipt and Still Photographs of the October 9, 2025, [REDACTED] Transaction and Video of the October 9, 2025, [REDACTED] Transaction clearly shows that the unknown Black Woman was using the Respondent's recently requested EBT Card ending in [REDACTED]

9. On November 14, 2025, an unknown Hispanic Man, accompanied by two other unknown Hispanic Men, was photographed and recorded in a [REDACTED] store, using the Respondent's EBT Card to purchase \$228.99 worth of food items. The EBT Edge Transaction Receipt and Still Photographs of the November 14, 2025, [REDACTED] Transaction and Video of the November 14, 2025, [REDACTED] Transaction clearly shows that the unknown Hispanic Man was using the Respondent's EBT card ending in [REDACTED]
10. On December 2, 2025, a different unknown Hispanic Man, accompanied by a woman and a small child, was photographed and recorded in a [REDACTED] store, using the Respondent's EBT Card to purchase \$94.56 worth of food items. The EBT Edge Transaction Receipt and Still Photographs of the December 2, 2025, [REDACTED] Transaction and Video of the December 2, 2025, [REDACTED] Transaction clearly shows that the unknown Hispanic Man was using the Respondent's recently requested EBT card ending in [REDACTED]
11. Per the EBT Edge Transactions from January 3, 2026, to February 2, 2026, the Respondent's recently requested EBT card ending in [REDACTED] was used to place internet food orders worth \$384.36 with [REDACTED] to be delivered to [REDACTED], between January 3, 2026, and January 5, 2026. Between February 1, 2026, and February 2, 2026, the Respondent's EBT card ending in [REDACTED] was also used to place internet food orders worth \$239.11 with [REDACTED] to be delivered to the same address. This address belongs to [REDACTED] per the [REDACTED] RI DMV License Photograph, [REDACTED] RI Bridges Case Summary for Case # [REDACTED] and the Accurint Report for [REDACTED]. [REDACTED] address is not listed as the Respondent's address in RI Bridges.
12. Per the Respondent's Illegal Narcotic Charge Case Summary and WINFACTS Incarceration Information, the Respondent was incarcerated from January 8, 2026, to February 21, 2026.
13. The [REDACTED] Loyalty Card Information, EBT Edge Transactions Receipt for February 3, 2026, and [REDACTED] EBT Card Account Information clearly shows that on February 3, 2026, someone with access to [REDACTED] EBT Card used the Respondent's

EBT Card ending in [REDACTED] along with [REDACTED] EBT Card ending in [REDACTED] to purchase \$131.72 worth of food items at [REDACTED]. These transactions occurred while the Respondent was incarcerated.

14. The Video of the March 1, 2026, [REDACTED] Transaction and EBT Edge Transaction Receipt and Still Photographs of the March 1, 2026, [REDACTED] Transaction clearly shows that on March 1, 2026, the respondent used their EBT card to buy \$133.24 worth of food items. The food items include a case of baby formula. The Respondent was accompanied by an unknown woman and the Respondent's SNAP case does not include any children.
15. The EBT Edge Transaction Receipts from April 5, 2026, and April 6, 2026, and EBT Edge Database Information from October 1, 2025, to April 17, 2026, clearly shows that the Respondent's recently requested EBT card ending in [REDACTED] was used to purchase \$374.59 worth of food items from [REDACTED] to be delivered to [REDACTED].
16. The Respondent signed a SNAP application on June 18, 2025, and it was received by DHS on July 1, 2025. By signing the SNAP application on page 1, the Respondent acknowledged that they understood that their answers were complete and true and that if they failed to provide complete and true answers, they would be breaking the law and would be subject to penalty.
17. The Respondent received a benefit decision notice on September 13, 2025. The notice explains that the Appellant's SNAP benefits will increase as of October 1, 2025. Page 5 of the notice explains the SNAP EBT card replacement provisions, stating that cardholders that request five or more replacement cards within a 12 month period will have their card held at DHS until they speak to DHS staff about their card requests and that they may be referred to the fraud detection and prevention unit for an investigation of the misuse or abuse of an EBT card. The Respondent was also informed that documented violations may result in one or more of the following actions:
1. Disqualification from the program; 2. Recovery through recoupment/restitution; and/or 3. Referral for criminal prosecution. Page five states the SNAP disqualification penalties for committing an IPV, stating that any member of the household that intentionally breaks a SNAP

rule can be barred from SNAP for a period of one year for their first violation. Page six instructs the Respondent not to trade or sell EBT cards or to use someone else's EBT card for their household.

18. The Agency ran the Respondent through the Electronic Disqualified Recipient Systems (eDRS) and determined that there were no previous SNAP program violations for the Respondent, therefore, this would constitute the Respondent's first SNAP IPV.

19. The Agency mailed a SNAP waiver packet to the Respondent's last known address on May 23, 2026. The SNAP packet included an IPV notice stating that the Respondent had committed an IPV from October 7, 2025, to April 6, 2026, by misusing their SNAP benefits.

VIII. DISCUSSION

As stated above, 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. The Agency testified that the Respondent intentionally misused their SNAP benefits because they transferred them to several unknown people who were neither eligible members of the Respondent's SNAP household nor the Respondent's authorized representatives. The Agency also testified that the Respondent was aware of their duty not to misuse their SNAP benefits and of the SNAP penalties for committing an IPV due to the SNAP application they signed and the benefit decision notice they received. The Agency asserted that the Respondent should be found to have committed an IPV, and they should be disqualified from SNAP for a period of 12 months.

The record clearly and convincingly shows that the Respondent requested five new EBT cards between October 7, 2025, and April 6, 2026, and that on multiple occasions, those newly requested EBT cards were used by individuals who were not members of the Respondent's SNAP household.

Furthermore, someone from [REDACTED] household used the Respondent's SNAP benefits while the

Respondent was incarcerated. The record clearly shows that the Respondent allowed these individuals to utilize the Respondent's EBT cards by providing them with access to their EBT cards and the personal identification numbers needed to access the Respondent's SNAP EBT benefits. Because the Respondent was sent a benefit decision notice that included the SNAP penalty warnings, which informed the Respondent that they could be subject to penalty for aiding any person to obtain public assistance to which the person is not entitled, the evidence is clear and convincing that the Respondent was aware of their responsibility not to misuse their SNAP EBT cards and the penalties for doing so. Because the Respondent assisted several individuals to obtain public assistance to which they were not entitled to, the Respondent's actions constitute an 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 was properly notified of the definition of an IPV and the SNAP penalties for committing an IPV.
2. From October 7, 2025, to April 6, 2026, the Respondent misused their SNAP benefits by transferring them to individuals who were neither eligible members of the Respondent's SNAP household nor the Respondent's authorized representatives.
3. The Respondent's misuse of their SNAP benefits constitutes an IPV.
4. 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 EOHHS.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 Timothy Lackie, Brittny Medeiros, Kimberly Seebeck, Iwona Ramian, Esq., Vania Rebollo, Kimberly Rauch, Jenna Simeone, Jessica Patroliia, Kirsten Cornford, and the DHS Policy Office at dhs.policyquestions@dhs.ri.gov on this 28th day of July, 2026.

