

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

DEPARTMENT OF HUMAN SERVICES

DOCKET No. 26-3852

v.

[REDACTED]

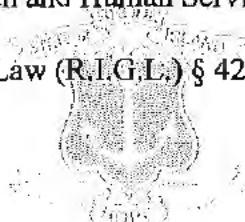
DECISION

I. INTRODUCTION

A Microsoft Teams hearing on the above-entitled matter was held on July 29, 2026. The Department of Administration, Office of Internal Audit, Fraud Detection and Prevention Unit (Agency), on behalf of the Department of Human Services (DHS), initiated this matter for an Administrative Disqualification Hearing to examine the charge that the Respondent, [REDACTED], case # [REDACTED] had committed an Intentional Program Violation (IPV) of the Supplemental Nutrition Assistance Program (SNAP). The Agency argues that the Respondent committed an IPV between October 13, 2025, and February 4, 2026, by fraudulently misusing his Electronic Benefit Transfer (EBT) card by giving it to unauthorized individuals who used the Respondent's SNAP benefits. The Agency seeks that the Respondent be charged with an IPV and be disqualified from SNAP for 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 Rhode Island General Law (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 human services. 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.).

III. ISSUE

The issue is whether the Respondent committed a SNAP IPV by intentionally making a false statement(s), misleading statement(s), making misrepresentation(s), concealing fact(s), withholding fact(s), or committing any act(s) that constitute a violation of SNAP regulations in accordance with Federal and/or State regulations.

IV. STANDARD OF PROOF

The Administrative Disqualification Hearing Officer is required to carefully consider the evidence and determine if an IPV occurred based on clear and convincing evidence. The Agency's burden to support claims with clear and convincing evidence requires that they present clear, direct, and convincing facts that the Administrative Disqualification Hearing Officer can accept as highly probable. 7 C.F.R. § 273.16 (e)(6) & 218-RICR-20-00-1.9 (B).

V. PARTIES AND EXHIBITS

Fraud Auditor Timothy Lackey appeared on behalf of the Agency. The Respondent did not attend the hearing and, in accordance with 7 C.F.R. § 273.16 (e)(4) and 218-RICR-20-00-1.22 (K)(13), the hearing was conducted without the Respondent present or represented. The following Agency exhibits were presented and marked as evidence at hearing.

- Exhibit #1 – Excerpts of State and Federal SNAP regulations relied upon by the Agency.

- Exhibit #2 – Copies of Excessive Replacement Card Notices and Excessive Card Replacement Fraud Referral Notices from May 13, 2025, to February 18, 2026, and copies of the Respondent's EBT card replacement history from the U.S. Department of Agriculture Food and Nutrition Service EBTedge database.
- Exhibit #3 – EBT card replacement history during the IPV period of October 13, 2025, to February 4, 2026, from the EBTedge database.
- Exhibit #4 – Copies of Rhode Island Bridges (RIB) case search summary page, individual summary page, authorized representative summary page, individual household page, and excerpts of regulations related to general household and authorized representative definitions.
- Exhibit #5 – A copy of [REDACTED] LinkedIn [REDACTED] contact info and picture, the Respondent's authorized representative.
- Exhibit #6 – A copy of the DHS EBT card Personal Identification Number (PIN) change request verification criteria.
- Exhibit #7 – A copy of the EBTedge telephone balance inquiries from October 13, 2025, to February 4, 2026.
- Exhibit #7A – A copy of [REDACTED] phone and address Reports for [REDACTED] [REDACTED], [REDACTED], and [REDACTED]. A copy of RIB case search summary reports for [REDACTED], [REDACTED] [REDACTED] and [REDACTED] showing phone, address, and relationship information.
- Exhibit #8 – A copy of Facebook photos of [REDACTED] and [REDACTED], taken from their respective Facebook accounts.

- Exhibit #9 – A copy of the Rhode Island Division of Motor Vehicles Enforcement Office reports for the Respondent, [REDACTED], [REDACTED], [REDACTED], and [REDACTED].
- Exhibit #10 – A copy of the Respondent's results from the State of Rhode Island's Department of Corrections Web-based Inmate Query System.
- Exhibit #11 – A copy of 5 videos recorded on October 13, 2025, of an African American woman shopping at [REDACTED].
- Exhibit #11A – A copy of the Respondent's EBTedge card transaction detail from [REDACTED] on October 13, 2025, in the amount of \$24.05. A copy of [REDACTED] All Transaction Detail of the transaction on October 13, 2025, totaling \$24.05, and 2 still photos of the woman who used the Respondent's EBT card at [REDACTED].
- Exhibit #12 – A copy of the other two transactions (EBTedge transaction details and [REDACTED] All Transaction Details) of the same woman who used the Respondent's EBT card at [REDACTED] on October 13, 2025, totaling \$99.44 and \$37.00, respectively.
- Exhibit #13 – A copy of 2 videos recorded on November 19, 2025, of an African American woman shopping at [REDACTED].
- Exhibit #13A – A copy of the Respondent's EBTedge card transaction detail from [REDACTED] on November 19, 2025, in the amount of \$49.15. A copy of the [REDACTED] receipt on November 19, 2025, totaling \$58.72, and 4 still photos of the woman who used the Respondent's EBT card at [REDACTED]. The receipt also shows that \$9.57 of

the total transaction amount of \$58.72 was paid with a debit card issued to [REDACTED] and \$49.15 was charged to the Respondent's EBT card.

- Exhibit #14 – A copy of 2 videos recorded on November 21, 2025, of 2 African American women shopping at [REDACTED].
- Exhibit #14A – A copy of the Respondent's EBTedge card transaction detail from [REDACTED] on November 21, 2025, in the amount of \$56.59. A copy of the [REDACTED] receipt on November 21, 2025, totaling \$149.38, and 6 still photos of the two women who used the Respondent's EBT card at [REDACTED]. The receipt also shows that \$92.79 of the total transaction amount of \$149.38 was paid with a debit card issued to [REDACTED] and \$56.59 was charged to the Respondent's EBT card.
- Exhibit #15 – A copy of 3 videos recorded on December 11, 2025, of an African American woman shopping at [REDACTED].
- Exhibit #15A – A copy of the Respondent's EBTedge card transaction detail from [REDACTED] on December 11, 2025, in the amount of \$30.73. A copy of the [REDACTED] receipt on December 11, 2025, totaling \$30.73, and 3 still photos of the woman who used the Respondent's EBT card at [REDACTED].
- Exhibit #16 – A copy of 1 video recorded on December 13, 2025, of an African American woman shopping at [REDACTED].
- Exhibit #16A – A copy of the Respondent's EBTedge card transaction detail from [REDACTED] on December 13, 2025, in the amount of \$52.94. A copy of the [REDACTED] receipt on December 13, 2025, totaling \$52.94, and 4 still photos of the woman who used the Respondent's EBT card at [REDACTED].

- Exhibit #17 – A copy of 2 videos recorded on February 3, 2026, of an unknown white male with bleach blonde hair shopping at [REDACTED]
[REDACTED]
- Exhibit #17A – A copy of the Respondent's EBTedge card transaction detail from [REDACTED] on February 3, 2026, in the amount of \$88.78. A copy of the [REDACTED] receipt on February 3, 2025, totaling \$88.78, and 3 still photos of the white male who used the Respondent's EBT card at [REDACTED] at the register.
- Exhibit #18 – A copy of the Respondent's EBTedge card transaction detail from [REDACTED], on February 4, 2026, in the amount of \$88.29. A copy of the [REDACTED] receipt on February 4, 2026, totaling \$88.29, and 2 still photos of the unknown white male with bleach blonde hair at the register using the Respondent's EBT card and exiting the store with an unknown white female.
- Exhibit #19 – A copy of the Respondent's completed SNAP Renewal Form, signed by the Respondent on May 6, 2025, and a copy of the Respondent's SNAP Benefit Decision Notice (BDN), associated with the SNAP renewal, dated May 7, 2025.
- Exhibit #20 – A copy of the United States Department of Agriculture Electronic Disqualified Recipient System (eDRS) for the Respondent, dated May 21, 2026.
- Exhibit #21 – A copy of the RIB Individual Summary details for the Respondent.
- Exhibit #22 – A copy of the SNAP packet dated May 23, 2026, addressed to the Respondent.

VI. RELEVANT LAW/REGULATIONS

According to 218-RICR-20-00-1.9 (C), an IPV is defined as intentionally making false or misleading statements, misrepresenting, concealing, 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 SNAP benefits or EBT cards.” To determine whether an IPV has occurred, the State agency must conduct an administrative disqualification hearing to determine whether there is clear and convincing evidence of an IPV. 7 C.F.R. § 273.16 (c) & 7 C.F.R. § 273.16 (e)(6).

Similarly, the Rhode Island counterpart, 218-RICR-20-00-1.9, states “The Office of Internal Audit is responsible for investigating any case of an alleged IPV and ensuring that appropriate cases are acted upon, either through Administrative Disqualification Hearings or referrals to a court of appropriate jurisdiction.” It further provides that “administrative disqualification referrals for prosecution action be initiated whenever there is sufficient documentary evidence to substantiate” that an IPV occurred.

According to 218-RICR-20-00-1.9 (A)(3)(c)(1) and 7 C.F.R. § 273.16 (b)(1)(i), if a finding is made that an IPV of the SNAP regulations has occurred, the disqualification penalty is 12 months for the first violation.

An authorized representative is a person designated by the head of the household or any other responsible household member to act on behalf of the household in applying for or using SNAP benefits. 218-RICR-20-00-1.2.11 (A)(1). It is the responsibility of the recipient or authorized representative to keep the RI EBT card and PIN safe from unauthorized use and to

immediately report lost or stolen cards to the Rhode Island Customer Service Line. 218-RICR-20-00-1.16 (A)(7)(a)

VII. FINDINGS OF FACT

1. The Respondent's SNAP household consisted of himself. There was an authorized representative, [REDACTED], a [REDACTED] RI employee, on file with DHS in the Respondent's SNAP case.
2. The Respondent submitted a SNAP Renewal Form on May 6, 2025.
 - a. At that time, the Respondent reported no changes to household composition, income, or expenses.
 - b. By signing the SNAP Renewal Notice on May 6, 2025, under penalty of perjury, the Respondent indicated that he understood that his answers were complete and true and that he would be breaking the law if he failed to provide complete, true, and accurate answers.
3. A SNAP BDN was issued to the Respondent on May 7, 2025.
 - a. Page 2 informs the Respondent that his household had been approved for SNAP benefits from May 1, 2025, through May 31, 2025, in the amount of \$192.00, and from June 1, 2025, through April 30, 2028, for \$230.00 monthly.
 - b. Page 3 states, under Changes you must report for SNAP: "You must tell us about changes in your household within 10 days of the change," and "You must tell us if: someone is moving into or out of your SNAP household, or you move to a new home."
 - c. Pages 4 through 8 of this BDN list the Respondents' rights, responsibilities, and the penalty warnings for SNAP.

- d. Page 7 states that trafficking means, “the buying, selling, stealing, or attempting to buy, sell, or steal or otherwise effecting an exchange of SNAP benefits issued and accessed via EBT cards, card numbers and PINs, for cash or consideration other than eligible food, either directly, indirectly, in complicity or collusion with others, or acting alone.”
 - e. Page 7 further states, “DO NOT trade or sell (or attempt to trade or sell) EBT cards or use someone else’s EBT card for your household.”
4. The Agency showed that the Respondent or his authorized representative was not the individual who used the Respondent's EBT card on numerous occasions between October 13, 2025, and February 4, 2026. The Respondent is a 75-year-old African American male. The Respondent’s authorized representative is an employee of [REDACTED], [REDACTED], a white female in her thirties.
- a. Upon reviewing the video evidence and still photos marked as evidence, it clearly was not the Respondent or his authorized representative using the Respondent's EBT card on:
 - i. On October 13, 2025, an African American female used the EBT card.
 - ii. On November 19, 2025. The African American female paid for part of the transaction with a debit card with the name “[REDACTED]” associated with it.
 - iii. On November 21, 2025. One of the two African American females paid for part of the transaction with a debit card with the name “[REDACTED]” associated with it.
 - iv. On December 11, 2025, an African American female used the EBT card.

- v. On December 13, 2025. An African American female used the EBT card.
 - vi. On February 3, 2026, an unknown white male used the EBT card.
 - vii. On February 4, 2026. Still photos showed that an unknown white male walked out of the store with an unknown white female. This unknown white female was clearly not the Respondent's authorized representative.
- b. The Agency showed that these African American women who used the Respondent's EBT card were either [REDACTED], [REDACTED] [REDACTED] or [REDACTED]. This was done with the phone numbers that called in to get the balance of the Respondent's EBT card. These phone numbers were then cross-referenced with RIB accounts and Accurint to find the names, addresses, and phone numbers for these individuals.
5. The Agency has also shown exactly what information is needed to change a PIN on an EBT card, and that only the Respondent would have known the combination of information required to do so.
- a. To change an EBT card PIN, one needs to know two of the following: the cardholder's 8-digit date of birth, the last 4 digits of the cardholder's Social Security number, or the 5-digit ZIP code associated with the card. If there are not at least two verification criteria in EBTedge, then the cardholder needs to speak to a call center representative to change the EBT card PIN.
6. Since the Respondent has no prior IPV's, the Agency is requesting that the Respondent be disqualified from SNAP for 12 months, as a first IPV SNAP offense.

VIII. DISCUSSION

The issue to be decided is whether the Respondent committed a SNAP IPV by intentionally making a false statement(s), misleading statement(s), making misrepresentation(s), concealing fact(s), withholding fact(s), or committing any act(s) that constitute a violation of SNAP regulations.

The Respondent was clearly informed of the rights, responsibilities, and penalty warnings for SNAP when the Respondent was issued a SNAP BDN on May 7, 2025. This BDN also informed the Respondent, "DO NOT trade or sell (or attempt to trade or sell) EBT cards or use someone else's EBT card for your household." The Respondent was informed that he was not supposed to give his EBT card to anyone for them to use. The SNAP rules and regulations only allow the person receiving the benefits to use the EBT card and/or an authorized representative of the person receiving the benefits. As in this case, the person using the EBT card was clearly not the Respondent or his authorized representative, which constitutes a violation of the SNAP regulations.

The Agency presented a Rhode Island Department of Corrections inmate record, including a picture of the Respondent, and a Rhode Island Division of Motor Vehicles record of the Respondent's state-issued identification card, for identification purposes in the video and still photo evidence to determine who the Respondent was and to see if he used his EBT card during the transactions under scrutiny in this case. Clearly, it was not the Respondent who used his EBT card. As previously stated, several African American women and an unknown white male with bleach blonde hair used the Respondent's EBT card on the dates in question. After further investigation by the Agency, the names of these women were found to be [REDACTED]

[REDACTED], or [REDACTED], with cross-referenced RIB account and Accurint data from phone numbers that called to get the EBT card balance.

Despite being informed of the SNAP rights and responsibilities, and of the SNAP penalty warnings, the Respondent gave his EBT card to individuals who were not authorized to use it, violating SNAP regulations. By doing this, the Respondent committed a SNAP IPV by intentionally allowing unauthorized individuals to use the Respondent's EBT card or his SNAP benefits, a clear violation of SNAP regulations.

IX. CONCLUSION OF LAW

After a careful review of the evidence and testimony presented at this Administrative Disqualification Hearing, the Agency has presented clear and convincing evidence that:

1. The Respondent was informed not to trade or sell (or attempt to trade or sell) EBT cards or use someone else's EBT card for your household, and the Respondent acknowledged, under penalty of perjury, that he was informed of the SNAP rights and responsibilities and SNAP penalty warnings.
2. According to 218-RICR-20-00-1.16 (A)(7)(a), it is the responsibility of the recipient or authorized representative to keep the RI EBT card and PIN safe from unauthorized use and to immediately report lost or stolen cards to the Rhode Island Customer Service Line.
3. The Respondent committed a SNAP IPV by intentionally trading or selling his EBT card to individuals who were not authorized to use the EBT card or the SNAP benefits.
4. The Respondent committed an IPV between October 13, 2025, and February 4, 2026.
5. Consequently, the Respondent, as head of household, will not be able to participate in SNAP for 12 months per 7 C.F.R. 273.16 (b)(1)(i) and SNAP Regulation 218-RICR-20-00-1.9 (A)(3)(c)(1).

X. DECISION

Based on the foregoing findings of fact, conclusions of law, evidence, and testimony, it is found that a final order is hereby entered that the Respondent committed a SNAP IPV and is disqualified from participating in SNAP for 12 months.

AGENCY'S INTENTIONAL PROGRAM VIOLATION CHARGE IS GRANTED

/s/ Robert Pelosi

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 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 a stay, or the reviewing court may order one, upon the appropriate terms.

Appeals are generally filed in the Providence County Superior Court. However, appeals affecting or concerning children under the age of 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 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 a true copy of the foregoing to [REDACTED]

[REDACTED], via regular mail, postage prepaid. Copies were sent via email to Agency Representatives Timothy Lackie, Kimberly Seebeck, Brittney Medeiros, Iwona Ramian, Esq., Denise Tatro, Kimberly Rauch, Jenna Simeone, Kirsten Cornford, and the DHS Policy Office on this 12th day of August, 2026.

Donna Mitchell