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

Department of Human
Services

Docket No. 26-3951

v.

[redacted]

DECISION

I. INTRODUCTION

A telephonic hearing on the above-entitled matter was conducted by an Administrative Disqualification Hearing Officer on August 4, 2026. The Department of Administration, Office of Internal Audit, Fraud Unit (Agency), on behalf of the Department of Human Services (DHS), initiated this matter for an Administrative Disqualification Hearing to examine the charge that [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 that she was receiving SNAP benefits in Massachusetts when she applied for SNAP benefits in Rhode Island. The Agency is seeking the Respondent be charged with an IPV for the period December 5, 2024, through June 12, 2025, and be disqualified from participating in the SNAP program for a period of ten years. 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.

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:

1. Massachusetts Department of Transitional Assistance (MDTA) PARIS Interstate Match Benefit History Request dated April 1, 2025.
2. MDTA Recertification electronically signed on April 25, 2025.
3. MDTA Decision Notice dated May 5, 2025.
4. MDTA case note dated May 5, 2025.
5. RI SNAP application signed and received December 5, 2024.
6. RI Benefits Decision Notice (BDN) dated December 5, 2024.
7. MA SNAP transaction history covering dates December 1, 2024, through September 26, 2025.

8. RI SNAP transaction history covering dates December 5, 2024, through June 12, 2025.
9. [redacted] Receipt dated May 14, 2025.
10. Women, Infants, and Children account information.
11. WIC transaction history transaction date May 14, 2025.
12. Electronic Disqualified Recipient System (eDRS) results obtained on May 22, 2026.
13. SNAP Notice dated May 29, 2026, including waiver of hearing.
14. E-mail from the Agency to the Respondent dated June 12, 2026.

The Respondent attended the hearing and testified on her own behalf.

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 IPV has occurred, 7 C.F.R. § 273.16(e)(6) requires the 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."

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.

VII. FINDINGS OF FACT

1. The Agency received a referral from DHS claiming that the Respondent did not report she was receiving SNAP benefits in MA when she applied for SNAP benefits in RI.
2. The Respondent was receiving SNAP benefits in MA effective June 13, 2023. She did not disclose she was receiving SNAP benefits in MA when she applied for SNAP benefits in RI on December 5, 2024.
3. The address listed on the MA application, subsequent Recertification, and decision notice was [redacted]. The application also listed a telephone number of [redacted].
4. On December 5, 2024, the Respondent submitted a RI SNAP application, listing her telephone number as [redacted], and an address [redacted]. The Respondent signed the RI application under the penalty for perjury and understood the SNAP warning. Page 3 asks if the applicant was receiving any benefits in another state and if the applicant has ever applied for or received in RI or another state, to which the Respondent checked the box stating "NO" for both questions. The Appellant was then approved for SNAP benefits in the amount of $666.00 for December 2024, and $768.00 effective January 1, 2025, and ongoing.

5. Between December 5, 2024, and May 31, 2025, both the MA and RI SNAP cards were used at RI stores. There were three occasions in which both the MA and RI SNAP cards were used consecutively.
6. On April 23, 2025, the MA SNAP card was swiped for $108.06 at 8:59 and $8.53 at 9:04. The RI SNAP card was swiped for $52.23 at 9:16. Both of these transactions were at a [redacted] at [redacted].
7. On April 24, 2025, the MA SNAP card was swiped for $42.69 at 15.39, which was rejected for insufficient funds, and again swiped and approved for $14.72 at 15:39. The RI SNAP card was then swiped for $27.97 at 15:39. Both of these transactions were at [redacted] at [redacted] [redacted]
8. On May 14, 2025, the RI SNAP card was swiped for $45.91 at 8:58 a.m., which was rejected for insufficient funds. The RI SNAP card was again swiped and approved for $36.50 at 8:58. The MA SNAP card was swiped for $9.11 at 8:59. both of these transactions were at [redacted] at [redacted].
9. An eDRS search revealed the Respondent had no prior SNAP violations.
10. On May 29, 2026, a SNAP packet was sent to the Respondent advising her she was being charged with a SNAP violation due to receiving SNAP benefits in two states at the same time. The packet included the waiver to an Administrative Hearing.
11. On June 6, 2026, the Agency spoke with the Respondent and reviewed the duplicate transactions. The Respondent stated she was a victim of identity theft, referring to a notice that was sent to DHS recipients to advise their system had been part of a data breach that occurred on December 5, 2024, and she may have had her information compromised.

12. On May 5, 2025, the Respondent contacted MDTA to request her SNAP case be closed in MA as she had been denied SNAP in RI due to having SNAP benefits in MA. Her MA SNAP ended effective May 31, 2025.

VIII. DISCUSSION

The Agency maintains the Respondent intentionally failed to report she was receiving MA SNAP benefits when she applied for SNAP benefits in RI on December 5, 2024. The Agency argues the evidence is clear and convincing that the Respondent committed an IPV from December 5, 2024, through May 31, 2025, and is seeking a SNAP disqualification of ten years based on the fact that she failed to disclose she was receiving SNAP benefits in MA when she applied for benefits in RI.

The evidence establishes that the Respondent submitted her application for RI SNAP benefits on December 24, 2024. The Respondent listed the same telephone number on her RI application as was noted on her MA Recertification. Page 3 of the application asks, "Is any applicant getting benefits/receiving assistance in another state" and "Before now, has any applicant ever applied for or received any type of assistance payments, benefits, or SNAP/Food Stamp benefits in Rhode Island or another state?", to which the Respondent checked "NO" to both questions, indicating she had not applied for or received benefits in another state. Therefore, she did not report she was still active on MA SNAP benefits when she applied for SNAP in RI.

The application clearly states 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."** The Respondent's 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 if she has ever or is currently receiving benefits in another state.

The record was held open for the Hearing Office to forward the Agency's evidence to the Respondent by August 9, 2026; additionally, the Respondent had until midnight on August 9, 2026, to submit to the Hearing Office any additional evidence she had. Both parties then had until August 14, 2026, to review and respond to the evidence submitted.

On August 10, 2026, the Respondent sent four e-mails (at 12:59 a.m., 1:07 a.m., 1:12 a.m., and 10:28 a.m.) to the Hearing Office to dispute the testimony of the Agency Representative.

The primary basis of the Respondent's rebuttal is the notice of the DHS data breach. She states the Agency's testimony was false when stating the data breach notice was sent to all people who may have been affected by a DHS breach on December 5, 2024, and that everyone was not notified, only certain people were, and she did not receive a notice. Her argument was the notice was sent to '[redacted] in care of [redacted]', therefore the notice was not sent to everyone. However, evidence submitted by the Respondent herself includes a breach notice that was addressed to her solely. [redacted] is noted to be a minor in her household, which explains why she received one in care of her.

The Respondent further disputes the validity of a [redacted] receipt, stating that it did not contain a clear transaction date and time. This statement is not true, as the receipt provided by the Agency shows on the second page a transaction date and time of May 14, 2025, at 8:59 a.m. This was testified to by the Agency at the hearing. The Respondent also submitted the receipt, but only page one, which left off the date and time.

On August 14, 2026, the Respondent sent two e-mails to the Hearing Office (at 1:08 p.m. and 1:11 p.m.) stating she never lived at [redacted] and had never used that address for her MA benefits. Evidence presented at the hearing, a MA Recertification and Decision Notice, both show her as living at that address. Th Recertification was electronically signed by the Respondent on April 29, 2025. Therefore, the Respondent's rebuttal is not credible.

On August 11, 2026, the Agency's submitted a rebuttal to the Respondent's claims, stating the

breach materials submitted by the Respondent are irrelevant as the breach notice was merely a precautionary notice and does not confirm identity theft or improper use of benefits. Furthermore, the breach notice was a broad notice of caution, not confirmation of compromise to the Respondent's case. The Agency goes on to state that the Respondent's MA SNAP benefits were active at the time she applied for RI SNAP benefits and the breach does not change the Respondent's responsibility to report to RI that she had ongoing benefits in MA.

Therefore, the Respondent intentionally provided false information, concealed information, and otherwise failed to report that she was receiving MA SNAP benefits when she failed to disclose that on her application. Accordingly, there is clear and convincing evidence that the Respondent committed an IPV on December 5, 2024, when she failed to report that she was receiving MA SNAP benefits when she applied for RI SNAP benefits. The Respondent violated SNAP regulations 218-RICR-20-00-1, §1.9(3)(1) and 7 C.F.R. §273.16(3)(1), that define 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 ongoing MA SNAP benefits, on her RI SNAP application. The Respondent signed and dated the SNAP application under the Penalty of Perjury Warning and understood the SNAP 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 for a period of ten years per 7 C.F.R. §273.16 (b)(1)(iii) and SNAP regulations 218-RICR-20-00-1, §1.9(A)(3)(g).

3. **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 the Respondent is disqualified from participating in the SNAP program for a period of ten years.

AGENCY'S INTENTIONAL PROGRAM VIOLATION CHARGE IS GRANTED.

Jillian R. Rivers

Appeals Officer

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

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
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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 the Respondent at [redacted], Agency Representatives Brittny Medeiros, and 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 24TH day of AUGUST, 2026.