

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

Department of Human Services

V.

DOCKET No. 26-3955

[REDACTED]

DECISION

I. INTRODUCTION

A Microsoft Teams hearing on the above-entitled matter was conducted by an Administrative Disqualification Hearing Officer on August 11, 2026, and the Respondent declined the option of a video hearing. 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] [REDACTED] had committed an Intentional Program Violation (IPV) of the Supplemental Nutrition Assistance Program (SNAP). The IPV occurred in Case# [REDACTED]. The Agency argues that the Respondent committed an IPV by simultaneously receiving SNAP in Connecticut and Rhode Island and by failing to disclose out-of-state benefits in a Rhode Island SNAP application. The Agency is seeking that the Respondent be charged with an IPV and be disqualified from SNAP for a period of ten years. 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 RIGL § 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 simultaneously receiving SNAP in Connecticut and Rhode Island and by failing to disclose out-of-state benefits in a Rhode Island SNAP application?

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 Internal Auditor Manager, Brittny Medeiros, 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 – July 27, 2022, Connecticut SNAP Application.

Exhibit #2 – Connecticut SNAP Benefit Verification for August 1, 2022, to June 30, 2023.

Exhibit #3 – Connecticut SNAP Benefit Issuance Verification for August 15, 2022, to June 1, 2023.

Exhibit #4 – October 1, 2022, Rhode Island SNAP Renewal.

Exhibit #5 – October 28, 2022, Rhode Island Benefit Decision Notice (BDN).

Exhibit #6 – January 6, 2023, Rhode Island SNAP Application.

Exhibit #7 – January 9, 2023, Rhode Island BDN.

Exhibit #8 – Rhode Island SNAP EBT Transaction Spreadsheet.

Exhibit #9 – Connecticut SNAP EBT Transaction Spreadsheet.

Exhibit #10 – Connecticut SNAP EBT Balance Inquiries for June 15, 2023, to July 2, 2023.

Exhibit #11 – Electronic Disqualified Recipient System (eDRS) Search Results.

Exhibit #12 – May 29, 2026, SNAP IPV Waiver Packet.

The Respondent attended the hearing, testified on their own behalf, and did not offer any exhibits as evidence.

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 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 CFR 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.

Similarly, Rhode Island state counterpart, 218-RICR-20-00-1.9, provides that the “Office of Internal Audit is responsible for investigating any case of alleged IPV 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.

An individual found to have made a fraudulent statement or representation with respect to the identity or place of residence of the individual in order to receive multiple SNAP benefits simultaneously shall be ineligible to participate in the Program for a period of ten years. See 7 C.F.R. §273.16(b)(5).

A household shall live in the State in which it files an application for participation. No individual may participate as a member of more than one household or in more than one project area, in any month unless an individual is a resident of a shelter for battered women and children as defined in 7 C.F.R. §271.2 and was a member of a household containing the person who had abused him or her. See 7 C.F.R. §273.3(a).

VII. FINDINGS OF FACT

1. The Agency began an investigation of the Respondent after they received a referral from DHS stating that the Respondent was receiving SNAP simultaneously in Connecticut and Rhode Island.
2. The Respondent's SNAP household in Rhode Island consisted of themselves and their granddaughter.
3. On July 27, 2022, the Respondent electronically signed an application for SNAP in Connecticut. The application was approved and the Respondent received SNAP EBT benefits from August 1, 2022, until June 30, 2023.
4. On October 1, 2022, the Respondent electronically signed a Rhode Island SNAP renewal form. By electronically signing the form on page 39, the Respondent acknowledged that they understood the penalties for perjury and for obtaining public assistance to which they are not entitled.
5. On October 28, 2022, the Respondent received a Rhode Island BDN stating that their SNAP benefits were ending as of December 1, 2022. Page seven of the BDN contains the SNAP penalty warnings, stating that individuals found to have made a fraudulent statement or representation with respect to the identity or place of residence of the individual in order to receive multiple

SNAP benefits simultaneously shall be ineligible to participate in SNAP for a period of ten years. Page eight instructs the Respondent not to lie or hide information to get or continue to get SNAP benefits that your household should not get.

6. The Respondent signed a Rhode Island SNAP application on January 6, 2023. Page three asks the Respondent if they are receiving benefits in another state and the Respondent checked no. On the same page, the Respondent was asked if they ever applied for SNAP benefits in Rhode Island or another state, the Respondent wrote that they had received benefits in Rhode Island last year. By signing the application on page 32, the Respondent acknowledged that they understood the penalties for perjury and for obtaining public assistance to which they are not entitled. Page 32 contains the SNAP penalty warnings including the ten-year penalty for simultaneous receipt of SNAP benefits. It also instructs the Respondent not to lie or hide information to get or continue to get SNAP benefits that your household should not get.
7. On January 9, 2023, the Respondent received a Rhode Island BDN stating that their SNAP benefits were approved as of October 6, 2023, and that they would continue to be issued until December 31, 2023.
8. The Respondent used the same phone number and email address for the Connecticut SNAP application, the Rhode Island SNAP application, and the Rhode Island SNAP renewal form.
9. The Respondent checked their Connecticut SNAP EBT benefits on June 15, 2023, using the same phone number listed on their applications and renewal forms. The Respondent's granddaughter also checked the Appellant's Connecticut SNAP EBT benefits on July 2, 2023. The Connecticut SNAP EBT Transaction Spreadsheet shows that the Respondent and their granddaughter began to check the Respondent's Connecticut EBT balance after some of the benefits expired due to inactivity.
10. On July 30, 2023, someone used the Respondent's Connecticut EBT Card and personal identification number (PIN) to spend \$19.98 on food items at a [REDACTED] in Warwick, Rhode Island at approximately 3:00 PM. Approximately one hour later, someone used the

Respondent's Rhode Island EBT Card and PIN to spend \$37.52 at the same [REDACTED] location. The Respondent testified that she could not remember if they used both their Connecticut and Rhode Island EBT cards on July 30, 2023, or if their granddaughter used their EBT cards.

11. On August 1, 2023, someone used the Respondent's Rhode Island EBT Card and PIN to spend \$37.90 at a [REDACTED] in Warwick, Rhode Island at approximately 3:45 PM. At approximately 4:20 PM someone used the Respondent's Connecticut EBT Card and PIN to spend \$33.19 at a [REDACTED] in Coventry, Rhode Island.
12. On August 8, 2023, someone used the Respondent's Connecticut EBT Card and PIN to spend \$58.71 at a [REDACTED] in Warwick, Rhode Island at approximately 4:20 PM. Approximately one minute later someone used the Respondent's Rhode Island EBT Card and PIN to spend \$0.52 to complete the [REDACTED] transaction.
13. On August 12, 2023, someone used the Respondent's Connecticut EBT Card and PIN to try to buy food items online at [REDACTED] at approximately 2:20 PM. The person tried three times and was unsuccessful. The last unsuccessful attempt to purchase food items with the Connecticut EBT Card was for \$75.44 and it was denied for insufficient funds. Approximately 25 minutes later, someone used the Respondent's Rhode Island EBT Card and PIN to complete the transaction at [REDACTED] for \$75.44 worth of food items.
14. 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.
15. The Agency mailed a SNAP waiver packet to the Respondent's last known address on May 29, 2026. The SNAP packet included an IPV notice stating that the Respondent committed an IPV from October 1, 2022, to June 30, 2023, due to duplicate participation of SNAP benefits. The packet also states that the Respondent could potentially be removed from SNAP for a period of ten years.

16. The Agency testified that during a conversation with the Respondent, the Respondent admitted to recently finding and using their Connecticut SNAP EBT card.

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 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 misled DHS by simultaneously receiving SNAP in Connecticut and Rhode Island and by failing to disclose their Connecticut SNAP benefits in a Rhode Island SNAP application. The Agency asserts that the Respondent's actions constitute an IPV and that they should be found to be ineligible to participate in SNAP for a period of ten years.

The Respondent testified that they could neither confirm nor deny that they were receiving simultaneous SNAP benefits from Rhode Island and Connecticut because they could not remember. The Respondent further testified that her daughter may have been the one to apply for Connecticut SNAP benefits under the Respondent's name as she had done so in the past. The Respondent disputes that they told the Agency that they recently found and utilized their Connecticut SNAP EBT card and they testified that they "probably" still have the Connecticut SNAP EBT card because they tend to "keep things."

There are several reasons why the Respondent's testimony is not credible. The Respondent initially told the Agency that their daughter applied for the Connecticut SNAP benefits using the Respondent's identity and that they informed the Connecticut Department of Social Services (DSS) of this. However, when the Agency followed up with DSS, they stated that they had no evidence of the Respondent visiting their office or reporting a fraudulent SNAP application. The Respondent initially testified that their daughter filed a fraudulent Connecticut SNAP application a few years ago but then later testified that the fraudulent application occurred 18 years ago. Also, while the Respondent testified that

their daughter likely applied for their Connecticut SNAP benefits using the Respondent's identity, that does not explain why the Respondent and their granddaughter checked the Respondent's Connecticut SNAP EBT benefits in June 2023 and July 2023, shortly after those benefits began to expire. Also, the Respondent seemed to have selective memory as they could not remember any facts relating to the Connecticut SNAP application nor the simultaneous receipt and utilization of SNAP benefits from Connecticut and Rhode Island. The Respondent's testimony regarding their daughter and their fraudulent application for Connecticut SNAP benefits was largely unbelievable as it failed to explain why the Respondent's phone number and the phone number of their granddaughter were used to conduct balance inquiries for their Connecticut SNAP EBT benefits right after they began to expire. Because the Respondent's testimony was largely unbelievable and it conflicted with both their own testimony and the Agency's testimony, and because the Respondent had selective memory regarding their application for and utilization of Connecticut SNAP benefits, I find that the Respondent's testimony is not credible.

The record clearly shows that the Respondent was receiving simultaneous SNAP benefits from Connecticut and Rhode Island from October 1, 2022, until June 30, 2023. The Respondent utilized the same phone number and email address for the Connecticut SNAP application, the Rhode Island SNAP application and the Rhode Island SNAP renewal form. That same phone number was used to check the Respondent's Connecticut SNAP EBT benefits, and on four separate occasions, the Respondent's Connecticut and Rhode Island SNAP EBT cards and PINS were used on the same day, often at the same store, to complete food item purchases. The Respondent failed to provide a credible explanation for their simultaneous receipt of SNAP benefits, as they were unable to provide any evidence to show that their daughter fraudulently applied for Connecticut SNAP benefits by using the Respondent's identity. The record also clearly shows that the Respondent completed a Connecticut SNAP application and was actively receiving Connecticut SNAP benefits when they failed to disclose the receipt of those out of state benefits on the January 6, 2023, Rhode Island SNAP application. The SNAP applications, BDNs, and SNAP renewal forms received and completed by the Respondent clearly show that they were made aware

of their responsibility not to mislead DHS in order to receive multiple SNAP benefits simultaneously as well as the ten-year penalty for doing so. Because the Respondent made a fraudulent statement to DHS in order to receive simultaneous SNAP benefits and because the record shows that the Respondent received simultaneous SNAP benefits from Connecticut and Rhode Island from October 1, 2022, until June 30, 2023, the Respondent's actions constitute an IPV. Per C.F.R. §273.16(b)(5) the Respondent should be found to be ineligible to participate in SNAP for a period of ten years because they made a fraudulent statement in order to receive multiple SNAP benefits simultaneously.

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 1, 2022, to June 30, 2023, the Respondent received simultaneous SNAP benefits from Connecticut and Rhode Island.
3. One January 6, 2023, the Respondent failed to inform DHS that they were receiving Connecticut SNAP benefits when they submitted a SNAP application in Rhode Island.
4. The Respondent's fraudulent statements and simultaneous receipt of SNAP benefits constitute an IPV.
5. The Respondent should be found to be ineligible to participate in SNAP for a period of ten years.

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 ten years.

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 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 Brittany

Medeiros, Kimberly Seebeck, Iwona Ramian, Esq., Vania Rebollo, Kimberly Rauch, Jenna Simeone,

Jessica Patroia, Kirsten Cornford, and the DHS Policy Office at dhs.policyquestions@dhs.ri.gov on this

17th day of August, 2026.


