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

Department of Human
Services

Docket No. 26-3956

v.

[redacted]

DECISION

I. INTRODUCTION

A telephonic hearing on the above-entitled matter was conducted on August 5, 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 (Mass.), when she applied for SNAP benefits in Rhode Island. The Agency is seeking that the Respondent be charged with an IPV for the period September 10, 2025, through February 12, 2026, 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 the Agency's favor.

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 the Agency 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. The Agency submitted the following evidence as exhibits:

1. Mass. Department of Transitional Assistance (MDTA) Recertification electronically signed on January 16, 2025.
2. MDTA Decision Notice dated February 18, 2025.
3. RI SNAP application signed September 9, 2025, and received September 10, 2025.
4. RI Bridges case note dated September 12, 2025.
5. RI Benefits Decision Notice (BDN) dated September 12, 2025.
6. Additional Documentation Required (ADR) dated September 12, 2025.
7. RI Energy electric bill dated September 30, 2025.

8. MDTA SNAP Closure Notice dated January 8, 2026.
9. MDTA Interstate Match Benefit History Request dated December 30, 2025.
10. ADR dated January 21, 2026.
11. BDN dated February 3, 2026.
12. RI Six-Month Interim Report signed and received on February 10, 2026.
13. MA SNAP transaction history.
14. RI SNAP transaction history.
15. Electronic Disqualified Recipient System results obtained on May 22, 2026.
16. SNAP Notice dated June 12, 2026, including waiver of hearing.
17. Two e-mails between the Agency and the Respondent dated June 18, 2026, and June 22, 2026.

The Respondent attended the hearing and testified on her own behalf. The Respondent did not view the Agency's evidence before the hearing, though she did request it in writing. She was afforded the opportunity to have the record held open so she could review the evidence, however she chose to proceed with the hearing without reviewing the Agency evidence.

VI. RELEVANT LAW/REGULATIONS

According to 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."

According to 218-RICR-20-00-1.9 (C), IPV violations consist of intentionally making a false or misleading statement, or misrepresenting, concealing, or withholding 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 Mass. when she applied for SNAP benefits in RI.
2. The Respondent was receiving SNAP benefits in Mass. effective February 13, 2023. She did not disclose she was receiving SNAP benefits in Mass. when she applied for SNAP benefits in RI on September 10, 2025.
3. The address listed on the Mass. Recertification, as well as the Decision Notice was [redacted]. The application also listed a telephone number of [redacted]
4. On September 10, 2025, the Respondent submitted a RI SNAP application, listing her telephone number as [redacted], and an address of [redacted] Page 3 asks if the applicant was receiving any benefits in another state and if the

applicant has ever applied for or received benefits in RI or another state, to which the Respondent checked the box stating "NO" for both questions. The Respondent signed the RI application under the penalty of perjury and understood the SNAP warning. The Appellant was then approved for SNAP benefits in the amount of $375.00 for the period September 10, 2025, through September 30, 2025.

5. On January 13, 2026, and January 14, 2026, both the MA and RI SNAP cards were used at RI stores, back to back. There were two occasions in which both the MA and RI SNAP cards were used consecutively.
6. On January 13, 2026, the Mass. SNAP card was swiped for $109.21 at 17:04, for an Instacart food purchase at Stop & Shop. The RI SNAP card was swiped for $84.87 at 18:54. Both of these transactions were at a Stop and Shop at [redacted].
7. On January 14, 2026, the Mass. SNAP card was swiped for $109.21 at 10:57 for an Instacart food purchase at Stop & Shop, which was then returned to the card. The RI SNAP card was then used twice at 11:00 for $109.21, for Instacart purchases that were declined due to PIN verification. The Mass. Card was then successfully used for an Instacart food purchase for $101.36 at 11:41.
8. The Respondent had no prior SNAP violations.
9. On June 12, 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.
10. On June 6, 2026, the Agency spoke with the Respondent and reviewed the duplicate transactions. The Respondent advised the Agency she had moved from Mass. To RI in October 2025 and misplaced her Mass. SNAP card in the move, and she thought one of her family members might have used it.

VIII. DISCUSSION

The Agency maintains the Respondent intentionally failed to report that she was receiving MA SNAP benefits when she applied for SNAP benefits in RI on September 10, 2025. The Agency argues the evidence is clear and convincing that the Respondent committed an IPV from September 10, 2025, through January 31, 2026, and seeks a ten-year SNAP disqualification..

The evidence establishes that the Respondent submitted her application for RI SNAP benefits on September 10, 2025. 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 that 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 attests 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 whether she has ever received, or is currently receiving, benefits in another state.

The Respondent argues that she canceled her SNAP benefits when she moved from Mass. To RI. She stated that when she applied for SNAP in RI, she had help from her mother. The Respondent concedes that when she applied for SNAP in RI, she checked the "NO" box on the application when it asked whether she was ever on SNAP in another State, due to "being new" to applying for SNAP and

having previously received help when she applied in Mass. The statement that the Respondent was new to applying for SNAP and was not clear on what she was doing is contradictory to her statement she had help from her mother. As such, the Respondents is not found credible.

The Respondent stated she has not had an Instacart account since moving to RI and never used it while at her present address. She further questioned the validity of the purchases on the RI and Mass. SNAP transaction history, stating that several of them were out of state purchases such as Arkansas and Quincy Mass. The Agency responded by advising that when payment is made, it is made to the particular company's corporate offices; i.e. Walmart shows as Arkansas and Stop and Shop show as Quincy, Mass. Additionally, the Respondent's RI SNAP card had several Instacart purchases, which indicates she still does have an Instacart account.

The Respondent maintains that she cannot be in two places at the same time, and while she does acknowledge the RI purchases were made by her, she states she has no recollection of the purchases that show on the Mass. Transaction history. Both SNAP cards were used minutes apart, showing that the Respondent in fact had access to both RI and Mass SNAP benefits.

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
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 to 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 4th day of September, 2026.

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