

STATE OF RHODE ISLAND
EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

ADMINISTRATIVE HEARING DECISION

Docket: 26-3988

V.

Department of Human Services

I. INTRODUCTION

On May 20, 2026, the Department of Human Services (“DHS”) issued [REDACTED] Colon (“Appellant”) a BENEFITS DECISION NOTICE (“BDN”) that informed the Appellant Supplemental Nutrition Assistance Program (“SNAP”) benefits were ending. On June 5, 2026, the Appellant filed APPEAL REQUEST [REDACTED] in RI Bridges case [REDACTED] to dispute DHS’s decision.

An administrative hearing was held in accordance with the Administrative Procedures Act as set forth by the R.I. Gen. Laws §42-35-1 on August 3, 2026, via Microsoft Teams, the Appellant declined the video option. For reasons discussed in this decision, the Appellant’s appeal request is denied.

II. JURISDICTION

Per R.I. Gen. Laws §42-7.2 EOHHS is to serve as the principal agency for managing the departments of children, youth and families; health; human services; behavioral healthcare; developmental disabilities and hospitals. As such, EOHHS is responsible for legal services including applying and interpreting the law, hearings and appeals, administrative adjudication duties and related functions of said state agencies.



III. ISSUES

The issue is whether or not the Appellant's SNAP benefits were processed in accordance with applicable regulations.

IV. STANDARD OF PROOF

It is well settled that in formal or informal adjudications modeled on the Federal APA, unless otherwise specified, a preponderance of the evidence is generally required to prevail. (2 Richard J. Pierce, Administrative Law Treaties § 10.7 (2002) & see Lyons v. Rhode Island Pub. Employees Council 94, 559 A.2d 130, 134 (R.I. 1989) (preponderance standard is the "normal" standard in civil cases)). This means that for each element to be proven, the factfinder must believe that the facts asserted by the proponent are more probably true than false. When there is no direct evidence on a particular issue, a fair preponderance of the evidence may be supported by circumstantial evidence. (Narragansett Electric Co. vs. Carbone, 898 A.2d 87 (R.I. 2006))

V. PARTIES AND EXHIBITS

DHS was represented by Eligibility Technician III Stephen Gossman, the Appellant appeared and represented themselves. The following was submitted into the administrative record, BDN – exhibit 1, the Appellant's electronic appeal request as exhibit 2 and Appellant's Community Partner ABAWD Exemption Request as exhibit 3. The Administrative record also contains DHS's agency response and letters issued to the Appellant from the Executive Hearing Office.

VI. RELEVANT LAW/REGULATIONS

R.I. General Laws 40-6 designates DHS as the principal agency of the State responsible to administer SNAP. Federal Regulations issued pursuant to the act are contained in 7 Code of Federal Regulations ("C.F.R.") Parts 271 through 282. SNAP benefits are processed by DHS

based on the household's information and according to the rules and regulations that govern the program and authorized by the Food and Nutrition Act of 2008 (as amended through Pub. Law 116-94). SNAP regulations in Rhode Island are conducted in accordance with Rhode Island Code of Regulations ("RICR") 218-RICR-20-00-1.

Per 218-RICR-20-00-1.11.9, an Able-Bodied Adult without Dependents ("ABAWD") is limited to three months of SNAP eligibility in any three-year period while not fulfilling ABAWD work requirements or otherwise being exempt. Rhode Island utilizes a "fixed statewide clock" to calculate the three-year period. ABAWD's not exempt or meeting requirements are not eligible for SNAP benefits. To fulfill work requirements, an ABAWD must work for 20 or more hours per week, averaged monthly; participate in and comply with the requirements of the SNAP E&T Work Experience program or other approved work program for 20 or more hours per week; receive benefits due to exemption from these work requirements or benefits due to regaining eligibility. ABAWD's, that have exhausted their countable months can also regain their eligibility one time during the 36-month period if, during a consecutive 30-day period they complete one of the above activities. The following persons are exempt from this time limit: under the age of 18 or above the age of 64; medically certified as physically or mentally unable to work; parents of a household member under age 14; pregnant; members of SNAP households in which one of the members is under 14 years of age; residing in certain areas with high unemployment rates; and Indians, Urban Indians, California Indians and other Indians who are eligible for Indian Health Services.

VII. FINDINGS OF FACTS

1. DHS sent the Appellant three notices that informed her of ABAWD rules and requirements.

2. The Appellant does not meet any exemption criteria, nor are they meeting the requirements by participating in an activity.

3. In the BDN issued on May 20, 2026, the Appellant was informed that SNAP would close as of June 1, 2026, for having received three months of SNAP while not meeting requirements or being exempt, during a 36-month period.

4. In Rhode Island a fixed clock that started in 2023 and will expire on September 1, 2026, tracks the 36-month period.

5. A DHS-SNAP-ABAWD-1 was submitted with the appeal request, dated June 5, 2026, from a medical professional, that requests an exemption due to medical reasons.

VIII. DISCUSSION

DHS maintains that the decision to terminate the Appellant's SNAP benefits was made according to regulations. The Appellant is an ABAWD and is not meeting work requirements or exempt. They have been issued three months of SNAP benefits in a three-year period and are no longer eligible. DHS's position is that for the Appellant to regain SNAP eligibility, a new SNAP application is needed, and the Appellant needs to show compliance with requirements for 30 days.

The Appellant ascertains they were not aware of the ABAWD requirements nor that SNAP benefit would end. The Appellant confirmed her address, which has not changed, DHS confirmed this is the address on file for the Appellant. The Appellant is seeking to have SNAP reinstated and be granted an exemption from ABAWD requirements based on the medical documentation submitted with her appeal request.

First, it must be determined if the Appellant is an ABAWD. The Appellant is between the ages of 18 and 65. DHS does not have any documentation on file that the Appellant is unable

or unfit to work due to medical reasons or is exempt from general SNAP work requirements. The Appellant is not pregnant, is not a parent, does not live in a household with a dependent child under the age of 14, nor is she an Indian who is eligible for Indian Health Services. The Appellant is subject to ABAWD work requirements.

Secondly, it must be determined if the Appellant met the ABAWD work requirements. The Appellant did not dispute that she is not working. As the Appellant does not work 80 hours per month or participate in a training program for 20 hours per week. The Appellant does not perform a combined total of 80 hours per month of working, volunteering or participating in a work program. The Appellant is not in compliance with ABAWD work requirements.

The Appellant claims to have not received any of the notices from DHS. The warning notices sent were testified to by DHS but not submitted into evidence, but the BDN sent was reviewed. The address was confirmed by DHS as the address that the other notices were sent to and also confirmed by the Appellant as her address, there was no reason presented as to why all notices issued by DHS would not have reached the Appellant.

The Appellant testified that she is unable to work due to medical issues, which is allowable exemption, if properly documented. It is noted that with the appeal request medical documentation was received, but that was after this decision was already made by DHS and the SNAP benefits were already closed. The record is void of any evidence that the Appellant provided documentation of being unfit for work due to medical reasons prior to the May 20, 2026, BDN in which DHS notified the Appellant that her SNAP case will close for June 1, 2026. Therefore, DHS correctly closed the Appellant SNAP benefits based on the information available to them at the time.

IX. CONCLUSION OF LAW

After reviewing the administrative record, I conclude the evidence does support that DHS decision's is in accordance with ABAWD requirements as set forth in 218-RICR-20-00-1.11.9.

X. DECISION

Based on the foregoing Findings of Facts, Conclusion of Law, and testimony it is found that a final order be entered that DHS's decision in this matter is upheld; therefore, the relief sought by the Appellant cannot be granted and this appeal is denied.

APPEAL DENIED

/s/Holly Young | Appeals Officer | Executive Office of Health and Human Services

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] and electronically to

[REDACTED]. Copies were sent electronically to DHS representatives of the

DHS Appeals Unit, the DHS Policy Unit, Stephen Gossman and Kirsten Cornford, on this

18th day of August, 2026.

Marilyn E. Jacobs