STATE OF RHODE ISLAND

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

APPEALS OFFICE

DEPARTMENT OF HUMAN SERVICES

v. DOCKET NO. 26-4224

[redacted]

DECISION

I. INTRODUCTION

A Microsoft Teams hearing on the above-entitled matter was conducted by an Administrative Disqualification Hearing Officer on September 8, 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) committed an Intentional Program Violation (IPV) of the Supplemental Nutrition Assistance Program (SNAP). The Agency argues that the Respondent did not accurately report the household income. The Agency is seeking that the Respondent be charged with an IPV for the period of February 11, 2022, through February 28, 2025, and be disqualified from SNAP for a period of 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 R.I.G.L. §42-7.2-6.1 and EOHHS regulation 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 et. Seq.) and EOHHS regulation 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 she was not entitled to, in accordance with Federal and Departmental Policy as set forth below.

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 Fraud Internal Auditor Brittny Mederios (Auditor Mederios), who investigated the Respondent's SNAP case, and provided testimony based on the facts established in determining an IPV of the SNAP regulations. The Agency offered the following evidence as exhibits at the hearing:

- Exhibit #1: The employment and wage verification record for [redacted]

- Exhibit #2: The Commonwealth of Massachusetts Department of Unemployment wage record dated January 28, 2025.
- Exhibit #3: Unemployment benefits printout.
- Exhibit #4: SNAP Recertification (SNAP Recert) signed December 19, 2020.
- Exhibit #5: Benefits Decision Notice (BDN) dated January 9, 2021.
- Exhibit #6: SNAP Recert signed January 13, 2022.
- Exhibit #7: BDN dated March 2, 2022.
- Exhibit #8: SNAP Recert signed February 24, 2025.
- Exhibit #8a: Eligibility Technician (ET) case notes dated February 24, 2025.
- Exhibit #9: BDN dated February 24, 2025.
- Exhibit #10: Electronic Disqualified Recipient system (EDRs) stating no previous SNAP disqualification for the Respondent.
- Exhibit #11: An Important SNAP Notice (SNAP Packet) dated June 19, 2026.

The Respondent, [redacted], did not attend the telephonic hearing. In accordance with 7 CFR § 273.16(e)(4) and 218-RICR-20-00-1.22(K)(13), the hearing was conducted without the Respondent present or represented.

VI. RELEVANT LAW and/or REGULATIONS

7 C.F.R. § 273.16, entitled "Disqualification for Intentional Program Violation (IPV)" (c), defines an IPV as intentionally making false or misleading statement, 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 State to conduct an

administrative disqualification hearing and to determine whether there is clear and convincing evidence that an IPV occurred.

Similarly, the Rhode Island regulation 218-RICR-20-00-1.9, entitled "Intentional Program Violations" (A) provides that the Office of Internal Audit is responsible for investigating any case of alleged IPV and ensuring the appropriate cases are acted upon through an Administrative Disqualification Hearings whenever there is sufficient documentary evidence to substantiate that an individual has committed an IPV. Like its federal counterpart, the R.I regulation § 1.9(B) requires that "clear and convincing evidence" demonstrates that the household member(s) committed or intended to commit an IPV, as defined in § 1.9(C).

Household income means all income from whatever source, per 218-RICR-20-00-1.5.2(A), including all wages and salaries for services performed as an employee, except exclusions. 7 C.F.R. § 273.9(b) and 218-RICR-20-00-1.5.2(A).

Pursuant to 218-RICR-20-00-1.13.1(A)(1)(d)(1), SNAP households that are considered change reporter must report changes in circumstances, income, resources, and expenses which occur during their certification period within 10 days of the date the change becomes know to the household.

Per Rhode Island regulation 218-RICR-20-00-1.9(A)(3)(c)(1), and Federal Regulation 7 C.F.R. § 273.16(b)(1)(i), if there is a finding that an IPV occurred, the disqualification penalty for the first violation is one (1) year.

VII. FINDINGS OF FACT

1. The Agency received a referral from DHS alleging that the Respondent received SNAP benefits while failing to report her correct household income. As a result, an investigation commenced into the Respondent's SNAP case.

2. The wage and benefit verification form shows that the Respondent received income from [redacted] from 2021 through 2024.
3. A second employment and wage verification form shows that the Respondent had worked at [redacted]. in 2024 which was verified through the Massachusetts unemployment wage record totaling $30,098.82. The Respondent did not report any of this income.
4. On December 19, 2020, DHS received the Respondent's SNAP recertification. She signed under the penalty of perjury, showing she was aware of her responsibilities, and the SNAP Penalty Warnings.
5. A BDN dated January 9, 2021, was mailed to the Respondent stating her SNAP benefits are being renewed. Page 2 informs her of the SNAP benefit amount for her household and eligihility period and the "Changes You Must Report for SNAP: You must notify us of changes in your home within 10 days after the change occurs if your household's income goes up or down by $100 or more". Pages 4 through 10 explains her RIGHTS and RESPONSIBILITIES, Specifically, "you have the responsibility to supply accurate information about your income, resources and living arrangements on this application."
6. On January 13, 2022, DHS received the Respondent's SNAP rectification. The Respondent failed to report her employment with [redacted]. Rights, Responsibilities and SNAP Penalty warnings were provided. The Respondent's SNAP recertification was signed under penalty of perjury.
7. A BDN dated March 2, 2022, was mailed to the Respondent stating her SNAP benefits were being renewed. Page 2 informs her of the SNAP benefit amount for her

household and eligibility period and the "Changes You Must Report for SNAP: You must notify us of changes in your home within 10 days after the change occurs if your household's income goes up or down by $100 or more". Pages 4 through 10 explains her RIGHTS and RESPONSIBILITIES, Specifically, "you have the responsibility to supply accurate information about your income, resources and living arrangements on this application."

8. On January 26, 2025, the Respondent began receiving $408 weekly unemployment benefits which were not reported within the 10-day time frame required to do so.
9. On February 24, 2025, DHS received the Respondent's SNAP rectification. The Respondent again failed to report her income. According to the Eligibility Technician case note, entered on February 24, 2025, the Eligibility Technician discovered the unreported [redacted]. employment via the Respondent's unemployment benefit award letter. The earned and unearned income was added to the case; an overpayment was established and a referral to the fraud unit was indicated.
10. A BDN dated February 24, 2025, was mailed to the Respondent stating her SNAP benefits were being renewed effective March 1, 2025, and her benefits were decreasing due to an increase in earnings and a decrease in housing/utility expenses. Page 3 through 9 explains her RIGHTS, RESPONSIBILITIES, and the SNAP PENALTY WARNINGS. Specifically, "you have the responsibility to supply accurate information about your income, resources and living arrangement on this application."
11. On June 17, 2026, the Agency logged into EDRs to determine the Respondent's SNAP disqualification period. The query shows the Respondent had no previous

disqualifications. Therefore, this is the Respondent's first violation, and the Agency is pursuing a 12-month disqualification from SNAP pursuant to 7 CFR § 273.16.

12. A SNAP Packet dated June 19, 2026, was mailed to the Respondent at [redacted]. The SNAP Packet states that the Respondent is being charged with committing an IPV for the period of February 11, 2022, through February 28, 2025, because of "Unreported Earned Income, Unreported Unearned Income."
13. On July 9, 2026, an Advanced Notice of Administrative Disqualification Hearing was sent by first class mail to the Respondent's address of record, [redacted]. The notice stated that the hearing was scheduled for September 8, 2026, at 9:00 AM. In accordance with 7 C.F.R. § 273.16(e)(3) and 218-RICR-20-001-1.23(K)(6), EOHHS provided at least thirty (30) days advance notice, in writing of the scheduling of the disqualification hearing, and the hearing was held accordingly.

VIII. DISCUSSION

The Agency maintains that the Respondent knowingly concealed her earned and unearned income while receiving SNAP benefits despite repeated notice of reporting responsibilities in multiple documents she signed under penalty of perjury. Therefore, the Agency's position is clear, the Respondent committed an IPV from February 11, 2022, through February 28, 2025, which is the date the income was added to the SNAP case. Thereby, she should be disqualified for SNAP for a period of twelve months.

The record consists of the evidence and testimony from the Agency. The evidence establishes that the Respondent continued to conceal her employment when she submitted her

SNAP recertification. The Respondent was required to report her income to DHS. The Respondent signed the January 2022 SNAP recertification attesting under penalty of perjury that her answers on the report were correct and complete to the best of her knowledge. The March 2, 2022, BDN informed her that she has a responsibility to supply accurate income information and repeated the SNAP Penalty Warnings for intentionally breaking SNAP rules. SNAP regulations state that Change Reporters are required to report changes in circumstances, income, resources, and expenses which occur during their certification period within 10 days of the date the change becomes known to the household. 218-RICR-20-00-1.13.1(A) (1). However, the Respondent, as a Change Reporter, failed to report her income to DHS.

Furthermore, when the Respondent submitted her completed SNAP recertification on February 24, 2025, she again concealed her employment at [redacted], [redacted]. as well as she did not report her unemployment benefits that she was receiving.

Based on the above, the Respondent was informed of the Penalties for Perjury, her Rights and Responsibilities, and the SNAP Penalty Warnings as required, but she failed to report her household income. Therefore, the Respondent intentionally provided false information, concealed information, and otherwise intentionally failed to report her correct household income. Accordingly, there is clear and convincing evidence that the Respondent committed an IPV on February 11, 2022, and continued through February 28, 2025.

IX. CONCLUSIONS OF LAW

After careful review of the testimony and evidence presented at the administrative disqualification hearing it is clear:

1. The Respondent signed under the Penalties of Perjury statement attesting that her

answers on the forms were correct and complete to the best of her knowledge. The Respondent, however, failed to report her household's earned and unearned income to DHS within 10 days of the change.

2. The Respondent was aware of the Reporting requirements, her Rights and Responsibilities, and the SNAP Penalty Warnings when she submitted her SNAP recertification.

3. The Agency has demonstrated by clear and convincing evidence that the Respondent knowingly failed to report her household earned and unearned income. Therefore, the Respondent intentionally misrepresented, concealed, or withheld facts pertinent to her SNAP case.

4. The Agency has demonstrated by clear and convincing evidence that the respondent committed an IPV of the SNAP regulations from February 11, 2022, through February 28, 2025, based on unreported earned and unearned income.

5. Consequently, the Respondent as head of household will not be able to participate in SNAP for twelve months per 7 C.F. R § 273.16(B)(1)(I) and 218-RICR-20-00-1.9(A)(3)(C)(1), as this is the Respondent's first IPV.

X. DECISION

Based on the foregoing findings of facts and conclusions of law, it is found that a final order be entered that the Agency's request for an IPV against the Respondent for twelve (12) months is granted.

AGENCY'S INTENTIAL PROGRAM VIOLATION CHARGE IS GRANTED

/s/ *Velmont Richardson*

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 02920.

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 Brittny Mederios, Kimberly Seebeck, Iwona Ramian, Esq., Vania Rebello, Kimberly Rauch, Jenna Simeone, Kirsten Cornford, Jessica Patrolia and DHS Policy Office on this 15th day of September, 2026.