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

DEPARTMENT OF HUMAN SERVICES

V. DOCKET No. 26-4589

[redacted]

DECISION

I. INTRODUCTION

An Administrative Disqualification Hearing Officer conducted a telephonic hearing on the above-entitled matter on September 10, 2026. The Department of Administration, Office of Internal Audit, Fraud Detection and Prevention Unit (Agency), on behalf of the Department of Human Services (DHS), initiated this matter for an Administrative Disqualification Hearing to examine the charge that the Respondent[redacted], had committed an Intentional Program Violation (IPV) of the Supplemental Nutrition Assistance Program (SNAP). The Agency charges that the Respondent was receiving benefits he was not entitled to due to a household composition change. The Agency is seeking that the Respondent be charged with an IPV for the period of November 24, 2025, and April 26, 2026, and be disqualified from SNAP for a period of twelve 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 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, RIGL §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 that he 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. 7 C.F.R. § 273.16(e)(6) & 218-RICR-20-00-1.9(B).

V. PARTIES AND EXHIBITS

Present for the Agency was Internal Fraud Auditor Brittny Medeiros, (Auditor 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 evidence as exhibits at the hearing:

- Exhibit #1 – ACI incarceration record
- Exhibit #2 – DHS SNAP recertification, dated May 10, 2025.
- Exhibit #3 – DHS SNAP Benefits Decision Notice (BDN), dated May 19, 2025.
- Exhibit #4 – DHS SNAP Six-Month Interim Report, dated November 22, 2025.
- Exhibit #5 – DHS Case Note, dated November 24, 2025.
- Exhibit #6 – DOA IPV packet, dated May 29, 2026.
- Exhibit #7 – DOA email to the Petitioner, dated June 12, 2026.
- Exhibit #8 – DOA IPV packet, dated June 22, 2026.
- Exhibit #9 – Electronic Disqualified Recipient System (eDRS) results, dated May 26, 2026.

VI. RELEVANT LAW/REGULATIONS

Pursuant to 218-RICR-20-00-1. 1.13.2(B) All SNAP households are subject to Interim reporting requirements, with the exception of the following households; households with no earnings and in which all members are elderly or disabled (ESAP households); and households which include migrant and seasonal farmworkers. Household composition and financial circumstances at the time of application will be the basis of the SNAP benefit amount for the first (1st) half of the certification period unless the household reports a change during the certification period before the Interim Report period. It continues to state in part that in order to determine eligibility for the second (2nd) half of the household's certification period, the household must supply the changes in household composition.

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 intentional program violation has occurred, 7 C.F.R. §273.16(e)(6), requires the State Agency to conduct an administrative disqualification hearing and to determine whether there is clear and convincing evidence that an IPV occurred.

Similarly, Rhode Island regulation 218-RICR-20-00-1 §1.9 entitled "Intentional Program Violations" (A) 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 through an Administrative Disqualification Hearing whenever there is sufficient documentary evidence to substantiate that an individual has committed an IPV. Like its federal counterpart, section §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). Per Rhode Island regulation 218-RICR-20-00-1 §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 investigation began following a referral from the DHS after identifying an unreported household composition change.
2. The Respondent was an active recipient of SNAP and a simplified reporter.
3. The Respondent's son, who was identified as a household member and factored in the Respondent's SNAP case, was incarcerated from June 25, 2025, through April 26, 2026.
4. On May 10, 2025, the Respondent completed his mandatory SNAP recertification. On the recertification, SNAP Penalty Warnings, Rights and Responsibilities and Reporting Requirements were provided and the Respondent signed under Penalty of Perjury, acknowledging that he understood these obligations.
5. On May 19, 2025, DHS issued a BDN confirming his SNAP renewal. This BDN reiterated his reporting responsibilities as a simplified reporter and included SNAP Penalty Warnings.
6. On November 24, 2025, the Respondent completed his mandatory SNAP interim report to continue benefits and reported the household as a household of four, which included his son, who was actively incarcerated at this time. The Respondent indicated no household composition changes and signed under Penalty of Perjury, despite his son's incarceration.
7. On November 24, 2025, DHS spoke with the Respondent. The Respondent advised that his son was attending GED classes but did not report that his son was incarcerated.
8. On May 29, 2026, a SNAP packet was mailed to the Respondent's address on file to report household composition changes between November 24, 2025, and April 25, 2026, the packet included a waiver of right to an Administrative Disqualification Hearing and an IPV notice

informing the Respondent of a possible referral to the Claims Collections and Recovery Unit. The Respondent's response was due by June 8, 2026.

9. The IPV start date is November 24, 2025, which is the date the Interim Report was signed, and the household composition was not updated.
10. The IPV end date is April 26, 2026, which is the day the Respondent's son was released on home confinement.
11. On June 16, 2026, the Respondent spoke with Auditor Medeiros. The Responded advised that he didn't report it because he was under the impression that his son would be released. Auditor Medeiros advised that the day he signed the waiver, his son was incarcerated, therefore he committed an IPV.
12. On June 22, 2026, the Respondent requested a new waiver to sign and advised that he would be on vacation for two weeks.
13. A new waiver was sent with an updated due date of July 2, 2026. The Respondent failed to respond by that time. On July 20, 2026, Auditor Medeiros called the Respondent. He requested an Administrative Disqualification Hearing at this time.
14. An eDRS search was conducted and determined that the Respondent had no prior violations. Therefore, the state is pursuing a 12-month disqualification pursuant to 7 CFR-273.16(B).

VIII. DISCUSSION

The issue to be decided is whether the Respondent committed a SNAP IPV by intentionally making a false statement(s), misleading statement(s), making misrepresentation(s), concealing fact(s), withholding fact(s), or committing any act(s) that constitutes a violation of SNAP regulations. The evidence clearly establishes that [redacted] received SNAP benefits for an ineligible household member from November 24, 2025, through April 26, 2026.

The Respondent is a simplified reporter and a household of four. On November 24, 2025, when the Respondent signed his interim report, he signed under penalty of perjury, that his answers were true

and accurate. On the interim report he failed to report a change in his household composition. The Respondent's Rights and Responsibilities were clearly outlined on the SNAP recertification. BDN and interim report. They clearly advised not to hide information, or lie, to obtain benefits he wasn't eligible for. By doing this, the Respondent committed a SNAP IPV of the SNAP regulations by intentionally concealing and/or withholding facts about the change of household composition as his child was incarcerated and not living in the home.

Based on the evidence the state submitted, it has been well established that an intentional program violation occurred between November 24, 2025, and April 26, 2026.

IX. CONCLUSION OF LAW

After careful review of the testimony and evidence present at the administrative hearing, this Appeals Officer concludes:

1. Upon signing his recertification, receiving the BDN, and signing the interim report, he was aware of the responsibility to provide accurate information about his household composition and not lie or hide information in order to receive SNAP benefits he was not eligible for, as well as the penalties for intentionally breaking a SNAP rule.

2. The Agency has demonstrated by clear and convincing evidence that the Respondent knowingly and intentionally received SNAP benefits for an ineligible person, as his son was incarcerated and not living in the home.

3. The Agency has demonstrated by clear and convincing evidence that the Respondent committed an IPV of the SNAP Regulations from November 24, 2025, and April 26, 2026.

4. Consequently, the Respondent, as head of household, will not be able to participate in SNAP for twelve (12) months.

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 Agency's request for an IPV against the Respondent for twelve (12) months is granted.

AGENCY'S INTENTIONAL PROGRAM VIOLATION CHARGE IS GRANTED

/s/Jenna Vilardo

Appeals 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 itself does not 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 [redacted], Brittny Medeiros, Kimberly Seebeck, Iwona Ramian, Esq., Vania Rebollo, Kimberly Rauch, Jenna Simeone, and Jessica Patrolia on this 22nd day of September, 2026.