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

Department of Human Services Docket #: 26-4590

V.

[redacted] Case #: [redacted]

DECISION

INTRODUCTION

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 the Respondent, [redacted], had committed an Intentional Program Violation of the Supplemental Nutrition Assistance Program (SNAP). A Microsoft Teams hearing in this matter occurred on Wednesday, September 9, 2026, at 1:00 PM. The Respondent did not choose the option of a video hearing. The Agency is seeking that the Respondent be charged with an Intentional Program Violation and be disqualified from SNAP for a period of one year. For the reasons discussed in more details below, the charge of an Intentional Program Violation has been granted.

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 human services. The administrative hearing was held in accordance with 210-RICR-10-05-2 and the Administrative Procedures Act (R.I.G.L. § 42-35-1 et. seq.).

ISSUE

The issue is whether the Respondent committed a SNAP Intentional Program Violation by intentionally 1) making a false statement(s), 2) making a misleading statement(s), 3) making a misrepresentation(s), 4) concealing fact(s), 5) withholding fact(s), or 6) committing any act(s) that constitutes a violation of SNAP policy or statue to receive SNAP benefits.

STANDARD OF PROOF

The Agency's burden in proving that an Intentional Program Violation occurred is by clear and convincing evidence. The Agency must present clear, direct, and convincing facts that the Administrative Disqualification Hearing Officer can accept as highly probable. 7 C.F.R. § 273.16 (e)(6) & 218-RICR-20-00-1.9 (B).

PARTIES AND EXHIBITS

In attendance at the hearing were:

- The Respondent
- The Respondent's Mother
- Internal Audit Manager Brittny Medeiros

The following exhibits were presented as evidence:

- Benefits Decision Notice of September 28, 2024
- Benefits Decision Notice of October 12, 2021
- Combined Notice of Match Results and Notice of Adverse Action dated April 17, 2026

- DHS Application for Assistance completed by the Respondent and signed on October 3, 2021
- Electronic Disqualified Recipient System printout for the Respondent
- Paystubs for the Respondent's employment at [redacted]
- Recertification/Renewal Notice dated August 1, 2024
- SNAP Packet of June 19, 2026
- SWICA interface printout of the Respondent
- The Work Number interface printout on the Respondent generated on December 26, 2025
- The Work Number interface printout on the Respondent generated on June 6, 2026

RELEVANT LAW/REGULATIONS

An Intentional Program Violation is defined as intentionally 1) making a false statement(s), 2) making a misleading statement(s), 3) making a misrepresentation(s), 4) concealing fact(s), 5) withholding fact(s), or 6) committing any act(s) that constitutes a violation of SNAP policy or statue for the purposes of 1) using, 2) presenting, 3) transferring, 4) acquiring, 5) receiving, 6) possessing, or 7) trafficking in SNAP benefits. 7 C.F.R. § 273.16 (c). To determine whether an Intentional Program Violation has occurred, 7 C.F.R. § 273.16 (e)(6), requires the state to conduct an Administrative Disqualification Hearing to determine whether there is clear and convincing evidence that an Intentional Program Violation occurred.

Similarly, 218-RICR-20-00-1.9, provides that the Agency is responsible for investigating potential Intentional Program Violations. The agency acts upon cases where there is sufficient

documentary evidence to substantiate that an Intentional Program Violation occurred. The Agency can either seek an Administrative Disqualification Hearing or refer the matter to a court of appropriate jurisdiction. If there is a finding that there was an Intentional Program Violation, the disqualification penalty is one year for the first violation.

SNAP households that are consider change reporters must report changes in income, including starting, changing, or ending a job, to DHS within 10 days of the household becoming aware of the change. 218-RICR-20-00-1.13.1 (A)(1)(d)(1).

FINDINGS OF FACT

The Respondent is active on Social Security Benefits, including both SSI & RSDI. The Respondent is considered disabled by Social Security. The Respondent applied for SNAP benefits in October of 2021. They did not have any job income at the time. The Respondent's SNAP application correctly reflects this. The SNAP application also informed the Respondent that they had a responsibility to provide accurate income information and, in general, to report changes in income within 10 days of the change. It also provided penalty warnings for a SNAP violation. The Respondent was issued a Benefits Decision Notice on October 12, 2021. That notice informed the Respondent that they must report changes to income within 10 days of the change. It also listed the responsibility to provide accurate income information and the SNAP penalty warnings.

The Respondent started working for [redacted] on July 17, 2024. The Respondent is paid weekly.

The Respondent completed their Recertification/Renewal Notice on August 29, 2024. On that notice, the Respondent did not answer the question regarding changes to jobs and did not

report the [redacted] position, despite already working and receiving paychecks from [redacted] The Recertification/Renewal Notice was signed under penalty of perjury that the information provided was correct and complete to the best of the Respondent's knowledge. The Respondent was issued a Benefits Decision Notice on September 28, 2024, confirming their benefits had been renewed. This notice informed the Respondent of their change reporting requirements. It also included the Respondent's responsibility to provide accurate income information and the SNAP penalty warnings.

DHS received, via a computer interface, information that the Respondent was employed with [redacted]. A Combined Notice of Match Results and Notice of Adverse Action was issued to the Respondent. In response, the Respondent provided four consecutive weeks of paystubs to DHS.

The Respondent does not have any previous Intentional Program Violations, as such this will be their first violation which carries a one-year penalty period.

DISCUSSION

The Respondent committed an Intentional Program Violation by failing to timely report their income from [redacted]. In 2021, the Respondent was not employed. This was properly reported to DHS in the application. Once approved, the Respondent was sent a Benefits Decision Notice that informed them that they must report changes within 10 days of the change. This included changes in employment, income, or employment status. In 2024, the Respondent was still required to report changes within 10 days. This included when they started working for [redacted] on July 17, 2024. This information, however, was not reported to DHS.

The Respondent was sent and completed their SNAP recertification in August of 2024. On this recertification, the Respondent made changes, such as updating physical and mailing addresses, and confirming information, such as unearned income, was correct. However, the Respondent did not answer the question regarding employment income and did not provide any details regarding their employment with [redacted]. This recertification was signed, under penalty of perjury, that the information on the recertification was complete and correct.

By failing to report the employment with [redacted] within ten days and again on the Recertification/Renewal form, the Respondent intentionally concealed and withheld facts relevant to the determination of their SNAP eligibility which allowed them to obtain SNAP benefits.

The Respondent and Respondent's Mother stress that they regularly reported the income and are unsure why DHS does not have a record of it. Specifically, they mentioned reporting it every month to Social Security and how Social Security would have it in their system already. However, reporting this to Social Security does not alleviate the requirement to report it to DHS as well. These are two separate agencies with different eligibility, computer systems, and reporting requirements.

CONCLUSION OF LAW

After careful review of the testimony and evidence present at the administrative hearing:

1. The Respondent was required to inform DHS of them working at [redacted] within 10 days of starting the position.
2. The failure of the Respondent to report the income from [redacted] amounts to an Intentional Program Vioaltion.

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 Intentional Program Violation and is barred from participating in SNAP for one year.

AGENCY'S INTENTIONAL PROGRAM VIOLATION CHARGE IS GRANTED

/s/ Shawn J. Masse

Shawn J. Masse

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 Brittny Medeiros, the DHS Policy Office at DHS.PolicyQuestions@dhs.ri.gov, Iwona Ramian, Esq., Jenna Simeone, Jessica Patrolia, Kimberly Rauch, Kimberly Seebeck, Kirsten Cornford, and Vania Rebollo on this 15th day of September, 2026.