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

DEPARTMENT OF HUMAN
SERVICES

DOCKET No. 26-5205

V.

[redacted]

DECISION

I. INTRODUCTION

A Microsoft Teams hearing on the above-entitled matter was conducted by an Administrative Disqualification Hearing Officer on September 28, 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 and to examine the charge that the Respondent, [redacted], committed an Intentional Program Violation (IPV) of the Supplemental Nutrition Assistance Program (SNAP). The Agency argues that the Respondent failed to report her income from December 19, 2023, through February 28, 2026. The Agency is seeking that the Respondent be charged with an IPV and be disqualified from SNAP for a period of 12 months. The Respondent's DHS case number is [redacted] 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 Rhode Island General Laws (R.I.G.L.) § 42-7.2-6.1 and the Rhode Island Code of Regulations (RICR) 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 (R.I.G.L. § 42-35.1) and 210-RICR-10-05-2.

III. ISSUE

The issue before this Administrative Disqualification Hearing Officer is whether the Respondent committed a SNAP IPV by intentionally 1) making a false statement, 2) making a misleading statement, 3) making a misrepresentation, 4) concealing facts, 5) withholding facts, or 6) committing any act that constitutes a violation of SNAP policy or statute to receive SNAP benefits, 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 Administrative Disqualification 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 Brittny Medeiros, internal audit manager, (Auditor Medeiros) who provided testimony regarding the case. Also present for the Agency was Daniel Salzillo, who observed the proceeding and did not participate. The following exhibits were presented as evidence:

- Exhibit #1: SWICA quarterly wages for [redacted]. – fourth quarter 2023 through third quarter 2025.
- Exhibit #1A: The Work Number (TWN) weekly payroll information for [redacted]. from December 2, 2023, through July 6, 2024.
- Exhibit #2: TWN payroll information for [redacted]. from August 29, 2025, through February 27, 2026.
- Exhibit #3: TWN - New hire information – [redacted].
- Exhibit #4: SNAP Recertification (SNAP Reeert) dated December 1, 2023, and signed December 19, 2023.
- Exhibit #5: Case note from an Eligibility Technician (ET) dated January 16, 2024.
- Exhibit #6: New Hire Notice regarding [redacted] dated January 16, 2024.
- Exhibit #7: Benefits Decision Notice (BDN) dated January 16, 2024.
- Exhibit #8: Interim Report (IR) dated June 8, 2024, and signed June 17, 2024.
- Exhibit #9: BDN dated July 19, 2024.
- Exhibit #10: DHS-2 Application signed February 26, 2025.
- Exhibit #11: Case Note from an ET dated April 11, 2025.
- Exhibit #12: BDN dated April 11, 2025.
- Exhibit #13: IR signed August 27, 2025, received September 22, 2025 (first two pages missing).
- Exhibit #13A: Blank IR dated July 8, 2025, that was mailed to Respondent.
- Exhibit #14: SNAP Renewal Reminder – Adverse Action Notice dated February 3, 2026.
- Exhibit #15: U.S. Department of Agriculture Electronic Disqualified Recipient System (eDRS) search results for the Respondent.
- Exhibit #16: An Important SNAP Notice/waiver packet (SNAP packet) dated July 15, 2026.

The Respondent did not attend the hearing. In accordance with 7 C.F.R. § 273.16(e)(4) and 218-RICR-20-00-1.23(K)(13), the hearing was conducted without the Respondent present or represented.

VI. RELEVANT LAW/REGULATIONS

7 C.F.R. § 273.16, entitled "Disqualification for Intentional Program Violation" (c), defines an IPV as intentionally making a 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." 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 provides that the Office of Internal Audit is responsible for investigating any cases of alleged intentional program violations 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, §1.9 requires "clear and convincing evidence" that the household member(s) committed or intended to commit an IPV, as defined in §1.9(C).

Per 218-RICR-20-00-1 §1.9(A)(3)(c)(1), and 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.

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 specific 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)(2)(a), Simplified Reporter (SR) households are required to report changes in income which bring the household's gross income in excess of the gross income eligibility standard for their household size by the 10th day of the month following the month in which the change occurred.

VII. FINDINGS OF FACT

1. The Agency received a referral alleging that the Respondent, an SR, committed an IPV of the SNAP program by failing to report earned income from December 19, 2023, through February 28, 2026.
2. Auditor Medeiros testified that the Respondent was hired by [redacted]. on November 22, 2023, and paid weekly starting December 8, 2023, according to TWN.
    - Quarterly data from the SWICA interface shows the Respondent made $3,637.58 in fourth quarter 2023, $10,671.34 in first quarter 2024, and continued to work there until third quarter 2025, when she made $2,021.90.
3. The Respondent signed her SNAP Recert under the penalty of perjury on December 19, 2023; she left blank the employment sections, despite working at [redacted]. The Recertification specifically asks to attach proof of income for the last 30 days.
4. The ET processed the SNAP Recert on January 16, 2024, writing in a case note (Exhibit #5) that the Respondent stated she was not working, and that it was discovered through a "new hire hit" that the Respondent was working at [redacted] since November 22, 2023; the ET sent a DHS-4635 New Hire Notice to the Respondent requesting verification of wages, but Auditor Medeiros testified that income verification was never provided to DHS.
5. The BDN issued on January 16, 2024, stated SNAP was approved, and informed the Respondent that she must notify DHS if her monthly income exceeds $3,250 no later than 10 days after the end of the month when the income increased. It also states her **RESPONSIBILITIES** on page 6: that she must provide accurate information about her income. **SNAP PENALTY WARNINGS** are explained on page 8: Any member of a household who intentionally breaks a SNAP rule will be barred from the SNAP program for one year to permanently, fined up to $250,000, imprisoned up to 20 years, or both. She or he may also be subject to prosecution under other applicable federal and state laws.

6. DHS received the Respondent's IR, signed under the penalty of perjury on June 17, 2024, and it again did not list any income information, despite the Respondent working at [redacted], Auditor Medeiros testified. The income section was left blank and the Respondent checked "no" to the question "have there been any changes?"
7. The Respondent's SNAP case closed on August 1, 2024, because her income exceeded SNAP program limits, according to a BDN dated July 19, 2024; the income discrepancy was discovered after DHS identified the unreported [redacted] income in TWN and updated the case, Auditor Medeiros testified.
8. The Respondent signed a DHS-2 application for SNAP on February 26, 2025. Again, the Respondent omitted her income at [redacted]. She checked "no" to question #15, which asks, "Do you or anyone in your household expect income from a job this month?" Again, SNAP **RESPONSIBILITIES (You have a RESPONSIBILITY** to supply accurate information about your income) and **PENALTY WARNINGS** are outlined on the application, and the Respondent signed it under the penalty of perjury, stating that all her answers were correct and complete to the best of her knowledge. The application states "**DO NOT lie or hide information to get or continue to get SNAP benefits that your household should not get.**"
9. An ET interviewed the Respondent about the application on April 11, 2025, writing in a case note (Exhibit #11) that the Respondent only reported child support income, and stated she is pending TDI. The Respondent also told the ET that she has a doctor's order to be out of work as of January 1, 2025. The ET end-dated the [redacted] income as of that date.
10. Auditor Medeiros testified that a copy of the doctor's note was not received by DHS, and TWN showed the Respondent consistently working from January 1, 2025, to at least the pay period ending April 2026.
11. A BDN was issued on April 11, 2025, approving SNAP benefits for the Respondent, stating she must report income exceeding $3,380.00 no later than 10 days after the end of the month

when the income increased. SNAP **RIGHTS** and **RESPONSIBILITIES,** along with penalty warnings, again are listed.

12. DHS received the Respondent's IR (missing pages one and two) on September 22, 2025, and she reported no income even though she recently began employment at [redacted]. on August 11, 2025, according to TWN. She marked "no" to the question asking if there were any changes to the blank employment section. The Respondent signed the IR under the penalty of perjury on August 27, 2025.
13. Information from TWN shows that she was paid biweekly at [redacted]., starting August 29, 2025, with $1,136.20 in gross wages, through February 27, 2026, when she made $2,007.69.
14. Ther Respondent's SNAP case was closed effective February 28, 2026, because she failed to submit her SNAP Recert, Auditor Medeiros testified.
15. The Respondent has no prior SNAP violations, according to an eDRS search conducted to determine the Respondent's SNAP disqualification period. Therefore, this would be the Respondent's first violation, and, as a result, the Agency is pursuing a 12-month disqualification from SNAP pursuant to 7 CFR § 273.16.
16. An IMPORTANT SNAP NOTICE was mailed to the Respondent at her most recent address of record, [redacted], on July 15, 2026, informing her that she is being charged with an IPV from December 19, 2023, to February 28, 2026, for unreported earned income. The SNAP packet also includes the Waiver of Right to an Administrative Disqualification Hearing and the Waiver Agreement. A phone number is provided for the Respondent to dispute and/or discuss the charge. The Respondent was told to respond by July 25, 2026, or the case would be referred to the Appeals Office for an Administrative Disqualification Hearing.
17. An Advance Notice of Administrative Disqualification Hearing dated August 26, 2026, was sent by first class mail to the Respondent's address, [redacted]

[redacted], informing her that the hearing was scheduled for September 28, 2026, at 9 a.m. The notice states the violation period, reason, disqualification period, Waiver of Right to an Administrative Disqualification Hearing, and Waiver Agreement. In accordance with 7 C.F.R. § 273.16(e)(3)(i), EOHHS provided at least 30 days advance notice in writing of the scheduling of the disqualification hearing.

VIII. DISCUSSION

The Agency maintains that the Respondent was working at [redacted]., from November 22, 2023, through the third quarter of 2025, and failed to report her income to DHS on her December 2023 SNAP Recert, her June 2024 SNAP IR, February 2025 SNAP application, and July 2025 IR. Furthermore, she began working at [redacted]. on August 11, 2025, and failed to report that income on the July 2025 IR as well.

The December 2023 SNAP Recert specifically asked her to attach proof of income for the last 30 days. She signed the Recertification under the penalty of perjury, and that she understood she would be breaking the law if she gave false information, but did not list the [redacted] income. Additionally, the Respondent received a BDN in January 2024 that again reminded her to report income, and again she failed to do so; it stated she must report to DHS if her monthly gross income exceeds $3,250 a month no later than 10 days after the month which the income increased. According to SWICA data provided by the Agency, the Respondent's quarterly income from [redacted]. in first quarter 2024 was $10,671.34, or $3,557.11 a month, which exceeds the amount she was required to report to DHS. This reporting requirement for SRs is outlined in 218-RICR-20-00-1.13.1(A)(2)(a). The Respondent also failed to respond to a New Hire Notice dated January 16, 2024, that asked for specific information about her employment at Five Below Inc.

The Respondent continued to conceal her [redacted] income by failing to report it on her IR in June 2024, signing it again under the penalty of perjury. DHS closed the Respondent's SNAP case on

August 1, 2024, because her income exceeded SNAP program limits; DHS discovered the unreported [redacted] income in TWN and updated the case, Auditor Medeiros testified.

The Respondent also signed a DHS-2 application for SNAP on February 26, 2025, again under the penalty of perjury, attesting that all her answers were correct, even though she again omitted her income at [redacted]. The DHS-2 included sections on **RESPONSIBILITIES (You have a RESPONSIBILITY** to supply accurate information about your income) and **SNAP PENALTY WARNINGS** that state that breaking a SNAP rule results in being barred from SNAP for one year to permanently, fined up to $250,000, imprisoned up to 20 years, or both. During her interview for SNAP as part of the application process, the Respondent told the ET she has a doctor's order to be out of work as of January 1, 2025; however, she never provided the note and SWICA data showed she was still working at [redacted].

At the time of her IR that she again signed under the penalty of perjury in August 2025, she was newly hired at [redacted]., according to TWN. SWICA data also showed wages for her as of third quarter 2025 at [redacted]. Both jobs were not reported on the IR, even though job information again was requested.

IX. CONCLUSION OF LAW

After careful review of the testimony and evidence presented at the Administrative Hearing, this Appeals Officer concludes:

1. The Agency has demonstrated by clear and convincing evidence that the Respondent knowingly omitted her employment when she submitted her SNAP Recert in December 2023, her IR in June 2024, her application in February 2025, and her IR in August 2025. She also failed to report her income when she was reminded to do so in three BDNs issued to her during that time period.
2. Based on the facts outlined above, the Agency has demonstrated by clear and convincing evidence that the Respondent committed an IPV of the SNAP regulations from December 19,

2023, through February 28, 2026. December 19, 2023, is the date she signed her SNAP Recert without reporting income, and February 28, 2026, is the last day of the month she received benefits while working.

3. The Respondent cannot participate in SNAP for 12 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 Fact, Conclusions of Law, evidence, and testimony, it is found that a final order be entered that the Respondent committed an IPV of the SNAP regulations. It is ordered that the Agency's request for an IPV against the Respondent is granted. Consequently, as this is the Respondent's first IPV, she will be barred from participation in SNAP for 12 months, per 7 C.F.R. § 273.16(b)(1)(i) and 218-RICR-20-00-1.9(A)(3)(a)&(c)(1).

AGENCY'S INTENTIONAL PROGRAM VIOLATION CHARGE IS GRANTED

/s/ Lori Stabile

Lori Stabile

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 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 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 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, Kirsten Cornford, Jessica Patrolia, Kimberly Rauch, Kimberly Seebeck, Jenna Simeone, Vania Rebollo, Iwona Ramian, Esq., and the DHS Policy Office on this 9TH day of OCTOBER, 2026.