



**United States
Department of
Agriculture**

Food and
Nutrition
Service

Northeast Region

10 Causeway St.
Room 501
Boston, MA 02222

April 5, 2022

Deborah Barclay, General Counsel
Department of Human Services
Louis Pasteur Building 57
25 Howard Avenue
Cranston, RI 02920

Dear Ms. Barclay:

Thank you for your letters dated June 18, 2021 and October 28, 2021 responding to the Food and Nutrition Service's (FNS) request that the Rhode Island Department of Human Services (DHS) provide a methodology for calculating certain categories of Supplemental Nutrition Assistance Program (SNAP) overpayments associated with the rollout of the State's integrated eligibility system.

After reviewing DHS' October 28th letter, FNS maintains that provisions permitted in Federal regulations to terminate or not establish claims against households are not intended to apply to claims for which the State agency is responsible. However, we agree that the systems and case-level changes that have occurred over the course of the Major System Failure period introduce practical challenges for DHS. Additionally, we recognize that the State faces challenges, including staffing shortages, as a result of the COVID-19 pandemic. FNS seeks to ensure that DHS has the staffing and IT resources to be able to continue to meet the needs of SNAP clients during this difficult time. We acknowledge that modifications to the State's proposed methodology to comply with FNS' requests would place additional burdens on DHS' resources during a time of acute need, which would neither serve the long-term interests of FNS nor the State.

In light of the considerations above, FNS acquiesces to the methodology described in the State's October 28th letter provided the State utilizes December 2019 as the end date for assessing overpayments, as it had indicated in the letter.

FNS appreciates the State's efforts to address the remaining overpayments. We had previously proposed that the State provide the calculations within 60 days after reaching agreement on a methodology. Please let us know as soon as possible if that timeline is still feasible.

If you have any questions, please do not hesitate to reach out to Matthew Henschel at 617-565-1610 or Matthew.Henschel@usda.gov.

Sincerely,

Lizbeth Silbermann
Regional Administrator
Northeast Region

cc: Celia Blue
Iwona Ramian
Bethany Caputo
Saurabh Gosai