The National Conference of State Legislatures (NCSL) strongly supports the state/federal partnership to provide nutrition assistance to those in need. State legislators are concerned about the vast numbers of hungry persons, and particularly the severity of hunger among childhood hunger and aging populations. The Supplemental Nutrition Assistance Program (SNAP, formerly the Food Stamps Program), Emergency Food Assistance, the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) and Child Nutrition programs alleviate and prevent hunger and enable families to improve their health and be more productive at school and at work.

SNAP: Supplemental Nutrition Assistance Program/Food Stamps

SNAP designed to assist needy families meet their nutritional needs, has improved the health of millions of families and moved toward eliminating malnutrition in the United States.

NCSL supports continued federal financing of the SNAP program at levels sufficient to provide assistance to all that are eligible, in need due to the rising cost of food. NCSL also urges Congress and the Administration to continue to work toward making SNAP and Temporary Assistance to Needy Families (TANF) block grants more compatible. Especially in times of economic hardship, this program, along with other nutrition assistance programs, offers a vital safety net for low-income Americans.

NCSL opposes proposals that would impose costly administrative burdens and mandates on state governments and that, as such measures remove state flexibility that is critical to cost-effective administration of SNAP.
NCSL also opposes proposals to raise federal funds by capping or restricting the state entitlement to administrative funds. NCSL will not support a cap on administrative funds without a commensurate limitation on federal requirements. NCSL supports a permanent restoration of the historic 50% SNAP administrative match.

NCSL appreciates the initiatives that provide administrative flexibility that USDA has created through the waiver process allowing states to implement administrative efficiencies in administrative processes such as telephone interviews, and Combined Application projects, and projects that allow partnerships with non-profit agencies to assist in the application process, community stakeholder organizations to improve quality, efficiencies and overall nutrition access.

NCSL supports making successful processes that were developed under waivers states options. State Legislators are concerned that benefits to recipients not be reduced, that benefits be adjusted to reflect the increased food costs of food and other basic necessities and that barriers to participation be removed. NCSL would also urge the Congress and the Administration to continue to work toward making SNAP and Temporary Assistance to Needy Families (TANF) block grant more compatible.

SNAP Benefits and Program Design

NCSL recommends that Congress and the Administration incorporate the following issues regarding SNAP benefits and program access into future action:

- eliminate the cap on excess shelter deductions which allow families to deduct high shelter costs;
- adopt the pre-1996 formula that each October sets the benefits at 103% of food price inflation annually to reflect the Thrifty Food Plan for the previous June;
- exclude the first $501 a month paid as child support from consideration as income in determining the SNAP allotment;
- expand state flexibilities with employment and training (E&T) programs to help recipients become self-employed;
promote program simplification and coordination between TANF and the SNAP program to make them more compatible and less costly to administer. programs;

periodically reevaluate the rules concerning the value of a vehicle that a recipient may own and still receive SNAP benefits;

adopt administrative improvements and ensure that coordination occurs where welfare reform changes impact SNAP policy and other means of simplification;

maintain federal fundingsupport and technical assistance to reach eligible families, especially those who have left TANF, and working poor families;

undertake initiatives to improve access to SNAP and support USDA’s efforts to improve for outreach;

allow senior citizensenhance and simplify application and eligibility determination procedures through supporting Web-based screening tools, permitting seniors and the disabled to apply for SNAP at Social Security offices, and allow use of joint applications and improve minimum benefits;

support USDA’s efforts to create a web-based screening tool to determine SNAP eligibility and expand technical assistance on applications; and

support options regarding child support cooperation as a condition of eligibility for SNAP. NCSL remains opposed to the federal government imposing a mandate requiring such cooperation. Additionally, NCSL supports the elimination of the fee for SNAP recipients’ child support collection efforts as a further incentive toward child support enforcement participation.

maintain state options to disqualify for SNAP eligible individuals that fail to cooperate with child support enforcement authorities or are in arrears on child support obligation. NCSL supports this option and opposes changes that would mandate these actions permit the promotion and acceptance of SNAP at farmer’s markets and other non-grocery store, produce oriented venues, for example: from a small farmer; and
SNAP and Legal Immigrants

NCSL congratulates the Administration and Congress for the 2002 restorations of SNAP to eligible. NCSL supports SNAP eligibility for legal immigrant children and families. NCSL strongly opposed the provisions of the 1996 law that denied SNAP assistance to certain legal immigrants. State legislators identified the 1996 denials as a cost shift to the states and state lawmakers strongly supported these restorations. Many states created their own food assistance programs or increased state funding for food banks to try to ameliorate the impact of the federal denial of food assistance to legal immigrants.

NCSL commends USDA's outreach efforts to newly assist eligible legal immigrants including the efforts to translate materials into more than 34 languages. State lawmakers should continue to be included in these efforts. NCSL continues to support restoring eligibility to the small number of legal immigrants who were not covered under this previous restoration. NCSL urges Congress and the Administration to include state lawmakers in making decisions that would alter the eligibility status for any category of immigrants legally present in the United States.

SNAP Employment and Training Program (SNAP E&T)

NCSL is committed to assisting in efforts to support the objectives of self-sufficiency promoted by the SNAP Employment and Training (E&T) program. NCSL urges Congress to encourage self-sufficiency among SNAP recipients. NCSL urges Congress and the Administration to allow states flexibility to create, fund and integrate SNAP E&T programs in order to complement with similar state programs particularly TANF and the Workforce Investment Innovation and Opportunity Act (WIA) and other state programs. At a minimum, a coordinated policy must be developed between this program, welfare reform and the new comprehensive workforce law (WIOA).
In addition, NCSL appreciates the USDA's willingness to grant states waivers of the three-month rule in areas impacted by high unemployment and USDA's technical assistance to states.

SNAP Program Quality Control/ (QC)/Judicial Waiver

State legislators fully support NCSL supports the original intent of quality control -- to provide states with a management tool to identify problems in public assistance administration, and to facilitate corrective actions. However, many problems in the current system have been documented including statistical flaws and the levying of excessive financial penalties on states. NCSL applauds strongly supports the move away from a system based on error rates to one that awards bonuses for accuracy.

NCSL urges the federal government to improve systems related to appeals of waiver decisions, reinvestment of claims, including outcome measures of program goals.

NCSL also urges improvements in the ability to appeal waiver decisions, the placement of statute of a state's right to reinvest claims and the broadening of quality control's scope to include outcome measures of other program goals. State legislators urge Congress and the administration to find more appropriate means of judging program success and measuring program outcomes. State lawmakers continue to support the funding for bonus payments for state performance.

NCSL would support efforts to focus on program measurement and evaluation through positive incentives and urge Congress to reexamine the funding level. State legislators urge USDA to continue the sound practice of settling QC claims through state reinvestment in program improvement.

Electronic Benefit Transfer and Automated Systems

Electronic benefit transfer (EBT) is a system of using electronically-encoded cards (such as magnetic-striped ATM cards, "smart cards" or laser technology) to provide recipient benefits through store checkout machines and ATMs. When properly administered, EBT systems can reduce administrative costs, eliminate benefit trafficking and facilitate multi-program benefit issuance systems.
NCSL supports the regulation that established the implementation of the EBT systems as a normal administrative option for states, and supports the widespread interest and planning for SNAP EBT implementation nationwide, and support allowing the cards to be used for multiple programs, as a state option.

NCSL believes that states should be allowed to negotiate the terms of Electronic Benefit Transfers (EBT) EBT with both food marketers, farmers’ markets and financial institutions. Additionally, the federal government must not preempt. NCSL opposes preemption of state laws that govern financial institutions in their goal of a nationwide EBT system. As additional income support programs are added to EBT systems that are state-only or state-federally governed, the federal government must not preempt state benefits law. State legislators are also concerned about the overestimation of savings by EBT systems. Currently, the federal government recoups savings by eliminating the creation, handling and storage of paper coupons and by fraud reduction. NCSL cautions the federal government from over-promising savings to the states, especially those from fraud reduction, and urges further studies of the impact of EBT on states, including costs and savings from its fraud reduction. NCSL congratulates the federal government for eliminating the cost-neutrality requirements in the EBT system. NCSL continues to support enhanced match. Study of the impact of EBT on states. Many of the current systems are obsolete and barriers remain for states to combine their information systems across programs to increase efficiency of program delivery. This is especially problematic given current state fiscal conditions. NCSL also encourages Congress and the Administration to continue initiatives around summer feeding and EBT with the aim to secure a permanent summer EBT program, including adding monthly funding to family’s EBT cards and include funding for state startup costs.

SNAP Program Flexibility and Waivers

NCSL strongly believes that the federal waiver process should be reevaluated. Recognize participation and need. States need flexibility for further innovation and state legislators
would prefer to have options, rather than waivers for policy changes that are not in need of further evaluation. State legislators need to be included in the waiver process prior to the waiver being granted. Plan approvals and the results of demonstrations should be shared with state legislators.

Emergency Food Assistance and Commodity Distribution

NCSL urges Congress to fully fund The Emergency Food Assistance Program (TEFAP) at its authorized level. In addition, Congress should provide for adequate administrative funds to facilitate the efficient distribution of food, and should include sufficient safeguards to prevent program abuse. NCSL urges the Department of Agriculture to make additional surplus commodities available to states, upon request, when additional surplus food becomes available. We also urge the USDA to provide administrative funding support for sorting, packaging, processing and transporting donated food. NCSL supports current federal programs that deliver commodities through farmer's markets and the child nutrition commodity program. NCSL also supports the USDA Fruits and Vegetable pilot program aimed at increasing consumption by school children.

Child Nutrition

In 1946, Congress enacted the National School Lunch Act, which provides cash grants and commodity donations to public and private non-profit schools to subsidize the operations of school lunch programs. Since that time, Congress has enacted the following additional child nutrition programs: School Breakfast, Special Milk, Summer Food Service (SFP), Child and Adult Care Food, Nutrition Education and Training Program (NET) and the Special Supplemental Feeding Program for Women, Infants and Children (WIC). Good nutrition is fundamental to the physical and mental development of children. Recent research on early childhood brain development underscore that adequate nutrition is essential for cognitive development. Moreover, as more parents leave welfare and enter the workforce, the CACFP and SFP are especially critical to the provision of quality child care and after-school services. These
programs augment our successful welfare reform efforts. The National Conference of
State Legislatures believes that adequate federal support for these programs is
essential. NCSL believes that substantive federal support of these programs is essential
and urges Congress to reauthorize legislation to continue and fully fund these
programs. NCSL urges the USDA to emphasize the importance of nutritionally-
appropriate foods, and avoiding those high in sugar, fat and sodium.

NCSL notes that accurate eligibility determination is important in any federal program,
but efforts to ensure that only eligible children are served must not serve as a deterrent
on program participation. NCSL supports the USDA proposal to create a pilot program
for school districts to enable them to provide more nutritious alternatives that would
allow such experimentation without risk of financial loss to those schools.

**WIC**

NCSL urges Congress to fully fund the WIC program at the levels authorized by
Congress. The WIC program provides supplemental food, nutrition education and health
care referral services to pregnant women, infants and young children from low-income
households who are determined by competent medical professionals to be at nutritional
risk. The importance of this program cannot be overemphasized. Nutritional deficiencies
during pregnancy or early childhood can result in lasting damage to a child's mental and
physical development. The WIC program has been proven effective in reducing NCSL
supports the objectives of the WIC program to educate and inform participants with the
best sources of nutrition to reduce the incidence of low birth weight. In addition, this
program reduces the need for extensive medical care and thus yields savings in the
Medicaid program. NCSL supports providing women participating in the WIC program
education and information on the best sources of nutrition for their babies, improve
infant nutrition in the first year, starting with breastfeeding, including infant formula if
needed, followed by of life, and to improve the introduction of solid foods. This program
deserves continued financial support and priority status by the health of participants.
NCSL encourages Congress and the Administration. NCSL supports broadening
adjunct eligibility to ensure time processing and approving applications for WIC
applicants to be flexible and ensure continued financial support to maximize WIC coverage for women, infants and children in need.

NCSL believes that additional technical assistance for the development of EBT systems is critical to streamlining the administration of the WIC program. This will enable states to better monitor program expenditures. NCSL supports Congressional efforts to improve program administration by authorizing limited borrowing between fiscal years for the WIC program, and by requiring the timely apportionment of WIC funds to the states. NCSL supports funding to allow technological improvements to WIC and to allow the implementation of WIC EBT.

School Breakfast and Lunch Programs

NCSL strongly supports the National School Lunch Program (NSLP) and the School Breakfast Programs (NSLP and SBP) as critically important to the well-being, education and ultimate future self-sufficiency of young children. State legislators are concerned about proposals to eliminate the elimination of cash subsidies to schools for moderate and high income children under the provisions of the school lunch and school breakfast programs. Additionally, NCSL encourages more flexibility for community eligibility provisions (CEP), which help reduce paperwork for parents and schools with a high percentage of eligible students.

The provision of federally-funded start-up grants would enable many schools with large numbers of low-income children to initiate the school breakfast program. Under the current financing structure for the programs, elimination of the subsidy may force many schools to drop their lunch and breakfast programs. NCSL believes that these programs are important and that schools should be encouraged to continue providing these nutritional meals. Ultimately, the existing financing structure may need to be altered.

NCSL recommends that a study be conducted that would consider alternative financing scenarios that would retain program universality. NCSL urges the USDA to pay attention to nutritionally-appropriate foods—avoiding those high in sugar, fat and sodium.

School breakfast programs are also an important part of ensuring that children have
proper nutrition and are ready to learn, and NCSL supports federal initiatives in this area.

NCSL notes that accurate eligibility determination is important in any federal program, but efforts to ensure that only eligible children are served must not have a chilling effect on program participation for hungry children. NCSL supports the USDA proposal to create a pilot program for school districts to enable them to provide more nutritious alternatives and would allow such experimentation without risk of financial loss to those schools.

**Summer Food Service Program for Children (SFSPC)**

Children who qualify receive \( \frac{1}{3} \) to \( \frac{1}{2} \) of their total early nutrient intake from the school lunch program, yet only one in five of those children who receive lunch at school have the opportunity to receive a summer lunch. NCSL believes that there is value for these children to receive nutritious meals throughout the year. The Summer Food Service Program for Children (SFSPC) is especially valuable as more mothers leave welfare to return to work full-time. The program serves as an additional resource for summer programs to ensure that children are not left unattended and hungry.

NCSL supports the Summer Food Service Program for Children (SFSPC) and the restoration of meal reimbursement rates that will make it possible for low-income children to receive a nutritious lunch in the summer. NCSL supports policies that will make it easier for non-profit community groups and public entities to sponsor the program, and will allow the program to be available in more neighborhoods and rural areas.

**Child and Adult Care Food Program (CACFP)**

The Child and Adult Care Food Program (CACFP) provides assistance to child and adult day care providers so that nutritional meals are provided to children and seniors.
State legislators recognize the importance of these programs. These feeding programs are the major federal support of child care, and are critical support to low-income children. Upon feedback from senior participants NCSL also supports flexibility allowing seniors to transport uneaten food they receive while participating in this program. Proposals to eliminate or reduce this program ignore its valuable contribution to the expansion of child care and reduction of childhood hunger.

NCSL strongly supports efforts to expand this program to older children in after-school programs, and to ensure that the program is available in more neighborhood and rural areas. Additionally, NCSL supports state options to expand this critical program to suppers in after-school programs.

Nutrition

Combating Childhood and Adult Obesity

NCSL believes that nutrition is important and that both childhood & adult obesity are a social and public critical component of health problem. NCSL supports federal efforts to find solutions to this problem in combating childhood and adult obesity without any new federal unfunded mandates. NCSL urges Congress to fully fund these programs and supports a proposal to fund a pilot program for the states with the greatest incidence of childhood and adult obesity to develop policies and procedures to reduce obesity.

NCSL encourages Congress to establish a taskforce to study obesity and co-morbidities of SNAP recipients in high-risk, high-disparity populations, and make recommendations that reduce the incidences of disease triggered by malnutrition, including policy reforms to SNAP that incentivize recipients to select foods with high nutritional value.

Combating Malnutrition in Older Adults

NCSL believes the existence and risk of malnutrition in older adults is an under-recognized and growing health crisis. Malnutrition adds to the risk of complications of chronic conditions and illness, hospitalization, and healthcare-acquired conditions.
resulting in the $15.5 billion per year in direct medical expenditures in the U.S. for the treatment of disease-associated malnutrition.

NCSL believes malnutrition is a preventable condition that is inexpensive to treat if addressed early with supportive malnutrition care. NCSL also believes that addressing malnutrition in older adults requires engagement at all levels including the individual, their families and caregivers, health providers, the public health system, and policymakers, who can all work together to support healthy aging by helping establish malnutrition care as a measure of quality health care.

NCSL urges Congress to support state efforts to abate malnutrition in the elderly, and heighten awareness of the condition in their communities.

**Nutritional Quality Measures for Older Adults**

NCSL supports the quality measures used by the Centers for Medicare and Medicaid Services (CMS) to quantify healthcare processes, outcomes, patient perceptions, and systems that are associated with the ability to provide quality health care and/or that relate to “quality goals” for health care. These Medicare clinical quality measures are used to improve facilities' treatment of patients, yet currently no quality measures have been adopted to address malnutrition.

In 2016, CMS introduced four electronic clinical quality measures that would cover screening for malnutrition, assessment of those screened as at-risk for malnutrition, diagnosis of malnutrition, and creation of a nutrition care plan. NCSL urges CMS to adopt quality measures on malnutrition to heighten the importance of identification, evaluation, and treatment of malnutrition in the elderly.