

HOUSE BILL REPORT

HB 1820

As Passed House:

March 2, 2015

Title: An act relating to requiring the department of social and health services to request all necessary exemptions and waivers from the federal government to allow students to use electronic benefit transfer cards at institutions of higher education.

Brief Description: Requiring the department of social and health services to request all necessary exemptions and waivers from the federal government to allow students to use electronic benefit transfer cards at institutions of higher education.

Sponsors: Representatives Reykdal, Zeiger, Senn, Haler, Riccelli, Bergquist, Kagi, Wilcox, Pollet, Walkinshaw, McBride, Stambaugh, Muri, Harmsworth, Springer, Stanford, Tharinger and Goodman.

Brief History:

Committee Activity:

Early Learning & Human Services: 2/11/15, 2/13/15 [DP].

Floor Activity:

Passed House: 3/2/15, 68-29.

Brief Summary of Bill

- Requires the Department of Social and Health Services (DSHS) to request all necessary waivers from applicable federal rules to authorize on-campus food retail establishments located on Washington's public and private institutions of higher education to accept Supplemental Nutrition Assistance Program benefits.
- Requires the DSHS to provide quarterly reports to the appropriate committees of the Legislature until January 1, 2018, that describe their efforts in securing a waiver or exemption.

HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

Majority Report: Do pass. Signed by 7 members: Representatives Kagi, Chair; Walkinshaw, Vice Chair; Walsh, Ranking Minority Member; Kilduff, Ortiz-Self, Sawyer and Senn.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Minority Report: Do not pass. Signed by 3 members: Representatives Scott, Assistant Ranking Minority Member; Dent and McCaslin.

Staff: Ashley Paintner (786-7120).

Background:

The Supplemental Nutrition Assistance Program (SNAP), formerly known as the Food Stamp Program, provides nutritional support benefits to low-income individuals and families. Congress authorizes funding and establishes requirements for the SNAP through the Food and Nutrition Act, commonly referred to as the Farm Bill. Congress renews the Food and Nutrition Act through the reauthorization process every five years, with the most recent reauthorization occurring in 2014.

Approved Retailer Requirements.

The SNAP is administered by the U.S. Department of Agriculture, under the Food and Nutrition Service (FNS). In order for a food retailer to be able to accept the SNAP benefits they must apply and be approved by the FNS.

To be eligible, the retailer must sell food for home preparation and consumption and meet one of the following criteria:

1. Offer for sale, on a continuous basis, at least three varieties of qualifying foods in each of the following four staple food groups, with perishable foods in at least two of the categories:
 - meat, poultry or fish;
 - bread or cereal;
 - vegetables or fruits; and
 - dairy products.
2. More than one-half of the total dollar amount of all retail sales (e.g., food, nonfood, gas, and services) sold in the store must be from the sale of eligible staple foods.

Eligible Food Items.

The definitions of eligible foods under the SNAP are set in Section 3(k) of the Food and Nutrition Act of 2008, as amended. In general, items that are not eligible for purchase with the SNAP benefits include: food products that contain alcohol or tobacco products; items that are not intended for human consumption (e.g., paper products, pet foods, etc.); foods sold hot at the point-of-sale; and vitamins and supplements. Under some limited conditions, restaurants may be authorized to accept the SNAP benefits from qualified homeless, elderly, or disabled people in exchange for low-cost meals.

Electronic Benefits Transfer Card.

The Electronic Benefits Transfer (EBT) card operates like a debit card and contains both food and cash benefits for recipients of the SNAP and Temporary Assistance for Needy Families benefits.

Waiver Process.

A state may apply to FNS for an approved waiver to federal rules. Waivers may be approved under certain conditions, including when approval of a waiver would result in a more effective and efficient administration of the program.

Summary of Bill:

The Department of Social and Health Services (DSHS) must request all necessary exemptions and waivers from federal statutes, rules, and requirements to authorize on-campus food retail establishments located on Washington's public and private institutions of higher education to accept the SNAP benefits. The stated intent is to retain a waiver from the U.S. Department of Agriculture to allow students to use the SNAP benefits in the form of an EBT card at on-campus food retail establishments. The DSHS must complete this request in consultation with the State Board for Community and Technical Colleges and the Student Achievement Council. The DSHS must provide quarterly reports to the appropriate committees of the Legislature until January 1, 2018, that describe their efforts to secure the waiver or exemption. If the DSHS cannot obtain the necessary exemption or waiver by January 1, 2018, this act expires on that date.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Unfortunately, this is an era characterized by high student loan debt and joblessness. Many individuals are now engaging in higher education, including those on public assistance. In particular, the average age of students attending community and technical colleges is over 28 years old. Currently, institutions of higher education are not eligible to accept the SNAP benefits due to federal regulations. The purpose of this bill is to require the DSHS to actively engage with the federal government around the use of the SNAP benefits on campus. The goal would be for students on public assistance to not have yet another barrier in place while trying to better themselves through education.

The objective of the Washington Community and Technical College Student Association is to make it easier for students to access nutritious foods on campus with their EBT cards. Students perform better on a full stomach. When student EBT cardholders are denied accessibility on campus, their only option is to travel off campus, which takes away from study time. The SNAP benefits are not currently allowed for the purchase of foods served for in-store consumption. Many students living on campus do not have access to cooking facilities. Not allowing the use of the SNAP benefits on campus presents an access issue for students attending institutions of higher education. There are approximately 19,000 students in the community and technical college system who are eligible for food benefits. The passage of this bill would benefit many students across the State of Washington.

(Opposed) None.

Persons Testifying: Representative Reykdal, prime sponsor; Alexandra Minea, Washington Community and Technical College Student Association; and Paul Bell, Office of Student Legislative Affairs at Bellevue College.

Persons Signed In To Testify But Not Testifying: None.