



## Campaign for a Hunger-Free New York Public Policy Priorities for 2021

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Hunger Solutions New York is a statewide non-profit organization dedicated to alleviating hunger. We are a caring and informed voice for hungry New Yorkers. We promote:

- Awareness of hunger in communities; and the disproportionate impact that hunger has on communities of color, children, and other underserved populations.
- Awareness of programs that address hunger;
- Full participation in federal nutrition assistance programs for all who are eligible;
- Public policies that contribute to ending hunger; and
- Public awareness of the economic, social, health, and educational benefits of nutrition assistance programs.

These efforts improve the health and well-being of New Yorkers while boosting local economies across the state.

While charitable and voluntary contributions to this effort are very important, we believe that it is a governmental responsibility to ensure that all New Yorkers are able to secure adequate food and nutrition.

The COVID-19 pandemic has created unprecedented demand for access to federal nutrition assistance programs. Federal and state government responded swiftly with program flexibilities and increases, but a focused and coordinated long-term response is needed to ensure all eligible New Yorkers can receive the food assistance they need.

This public policy platform makes recommendations for protections and improvements in the Supplemental Nutrition Assistance Program (SNAP), National School Lunch Program (NSLP), School Breakfast Program (SBP), Summer Food Service Program (SFSP), Child and Adult Care Food Program (CACFP), and the Supplemental Nutrition Program for Women, Infants and Children (WIC), as well as Pandemic-EBT.

### **FEDERAL PRIORITIES**

#### **Supplemental Nutrition Assistance Program (SNAP):**

1. Maintain the core principles and integrity of SNAP:
  - a. Keep intact the federal commitment to pay 100% of SNAP benefits.

- b. Keep intact the current system whereby all SNAP benefits are provided to recipients on an EBT card to be spent at local SNAP retailers.
  - c. Retain current system whereby SNAP benefits are determined and issued by SNAP civil service employees.
  - d. Do not expand SNAP's work requirements to new populations, impose stricter requirements or impose more harsh penalties.
  - e. Ensure that fees are not imposed on retailers who accept SNAP.
2. Expand the number of people who are eligible to participate in SNAP:
- a. Maintain state flexibility to utilize "expanded categorical eligibility" to waive the asset test and set gross income tests.
  - b. Prevent further restrictions to ABAWD time limit rule (i.e. prevent adding new populations, tightening requirements, or limiting state flexibility to issue waivers).
  - c. Retain the long-standing definition of Public Charge as it relates to SNAP and other nutrition assistance programs.
  - d. Clarify the legal definition of the military's Basic Allowance for Housing so it will not be counted as income when determining eligibility for SNAP.
3. Ensure SNAP accessibility and flexibility throughout the COVID-19 pandemic and the resulting economic downturn, track progress of policies; and assess if they should be made permanent:
- a. Increase the maximum SNAP benefit for all recipients by boosting the thrifty food plan by at least 15 percent for the duration of the economic downturn.
  - b. Increase the minimum SNAP benefit from \$16 to \$30 to help individuals impacted by COVID-19, particularly seniors, for the duration of the economic downturn.
  - c. Ensure that all SNAP recipients receive Emergency Allotments of SNAP, including households that already receive the maximum benefit; and provide retroactive benefits back to March 2020.
  - d. Suspend SNAP time limits and administrative rules changes that would cut SNAP benefits.
  - e. Ensure that enhanced unemployment insurance is not countable income for SNAP.
4. Maintain and increase the adequacy of benefits provided through SNAP:
- a. Improve the adequacy of monthly SNAP allotments by using USDA's Low-Cost Food Plan in place of the Thrifty Food Plan when calculating SNAP benefit amounts.
  - b. Maintain minimum benefit allotments.
  - c. Prevent the imposition of a cap on benefit allotments for larger households.
  - d. Maintain state flexibility to provide a nominal LIHEAP benefit to the neediest low-income households, in order to maximize benefit allotments.
  - e. Maintain state flexibility to determine and set annual Standard Utility Allowances.
  - f. Allow all SNAP households to deduct their actual shelter costs as part of SNAP budgeting.
  - g. Implement a Standard Medical Deduction.
  - h. Maintain food choice for SNAP recipients, and prioritize incentives to purchase more produce.

## **Child Nutrition Programs:**

### **Child Nutrition Reauthorization:**

Reauthorize Child Nutrition Programs with timely and comprehensive legislation that ensures access to meal programs for all eligible children. The authorization for these federally-funded child nutrition programs expired in September 2015 and is currently being maintained through a Continuing Resolution through 9/30/21.

### **School Breakfast Program (SBP) and National School Lunch Program (NSLP):**

1. Expand free universal school meals to all children nationwide as a mechanism to safeguard children from the impacts of food insecurity. This would be accomplished by enabling school food authorities to provide both school breakfast and lunch at no charge to all children, and provide federal reimbursement at the free rate.  
These initial policies make progress toward this goal:
  - a. Establish statewide free universal school meals demonstration projects, such as USDA approval of statewide CEP waiver requests for states with high uptake rates of CEP.
  - b. Protect and strengthen the Community Eligibility Provision (CEP) by increasing the reimbursement)- currently 1.6 – to 2.0 percent, making CEP more financially viable for more high-poverty schools.
2. Maintain and improve the integrity of school meals:
  - a. Protect and maintain the school nutrition standards in SBP and NSLP.
  - b. Increase SBP and NSLP reimbursements rates to match the recommended rates of the USDA School Nutrition and Meal Cost Study (April 2019) to be in line with USDA's estimated cost of producing meals and then be adjusted annually for inflation.
  - c. Allow school districts to retroactively claim and receive reimbursements back to the first day of the school year for school meals that were served to low-income students who became certified for free or reduced-price school meals later in the school year. This would help the school district overcome unpaid school meals fees accrued by families who are determined eligible for free or reduced-price school meals during the school year.
  - d. Similar to New York's policy, protect all children from any type of shaming due to unpaid school meal debt by banning any kind of identification of students who cannot pay for lunch at school, like wristbands or hand stamps, and do not allow schools to publish lists of students who owe money for school meals or use debt collectors to recoup meal fees.
3. Streamline eligibility and the verification process to improve program access:
  - a. Ensure that any changes to the process of verifying eligibility do not cause eligible children to lose school meal benefits and limit any increase in administrative work for schools that could negatively impact children's access to school meals.

- b. Protect eligible children’s access to school meals by leveraging additional opportunities to directly certify low-income children for free school meals in the following ways:
  - i. Require states to incorporate all currently categorically eligible children into current data matching systems.
  - ii. Extend categorical eligibility to all of the following:
    - 1. Children placed into kinship care as a result of the opioid drug crisis
    - 2. Children in households that participate in the Low-Income Heating Assistance Program (LIHEAP)
    - 3. Children in military households that receive the Family Subsistence Supplemental Allowance.
- 4. As part of the COVID-19 response:
  - a. Extend all other current waivers to be in place until at least 60 days after the end of the nationally-declared public health emergency under section 319 of the Public Health Service Act (42 U.S.C. 247d).
  - b. Ensure the Pandemic Electronic Benefit Transfer (P-EBT) program, which allows families to receive benefits if schools close due to COVID-19, provides sufficient and timely resources to all eligible children.

**Child & Adult Care Food Program**

- 1. Streamline eligibility and administration to improve program access:
  - a. Eliminate the area eligibility test for the At-Risk Afterschool Snack/Supper component to ensure universal access to afterschool nutrition in all communities.
    - i. An initial step toward this goal is to expand area eligibility by reducing the threshold from 50% to 40% of children qualifying for free or reduced-price school meals, in alignment with the Department of Education’s Title 1 and 21st Century Community Learning Center programs.
  - b. Expand Tier 1 area eligibility for family, group family, and legally exempt child care providers by reducing the threshold from 50% to 40% of children qualifying for free or reduced-price school meals.
  - c. Extend area eligibility to child care centers in CACFP.
  - d. Allow annual eligibility for proprietary centers.
  - e. Establish a Community Eligibility Provision and a “Provision 2” option that would align CACFP with NSLP, streamlining paperwork for parents, programs and sponsors, and enabling use of efficient technology.
  - f. Reauthorize a paperwork reduction workgroup.
- 2. Maximize program effectiveness:
  - a. Restore CACFP child care centers’ and family, group family, and legally exempt providers’ option to serve a third meal to children in their care for 8 hours or more.
  - b. Increase CACFP reimbursement rates to align with updated meal patterns that strengthen the nutritional quality of meals and snacks.

- c. Use the Consumer Price Index for Food Away From Home as the cost of living adjustment for CACFP reimbursement rates for legally exempt, family, and group family child care providers, in alignment with what is used for child care centers.
- 3. Ensure children's access and protect viability of CACFP throughout the COVID-19 public health crisis and resulting economic downturn:
  - a. Waive the afterschool activity requirement for CACFP At-Risk Afterschool Snack/Supper through the entire 2020-2021 school year.
  - b. Waive area eligibility for CACFP At-Risk Afterschool Snack/Supper through the entire 2020-2021 school year.
  - c. Allow sponsors to provide meals through CACFP At-Risk Afterschool Snack/Supper during the 2021 summer break from school, with waivers for non-congregate feeding, parent/guardian meal pick-up, meal pattern flexibility, meal service time flexibility, area eligibility, the afterschool activity requirement, and other needed flexibilities.
  - d. Extend all other current waivers to be in place until at least 60 days after the end of the nationally-declared public health emergency under section 319 of the Public Health Service Act (42 U.S.C. 247d).

### **Summer Food Service Program**

- 1. Streamline eligibility and administration to improve program access:
  - a. Eliminate the area eligibility test to ensure access to summer meals in all communities.
  - b. An initial step toward this goal is to expand SFSP area eligibility by reducing the threshold from 50% to 40% of children qualifying for free or reduced-price school meals, in alignment with the Department of Education's Title 1 and 21st Century Community Learning Center programs.
  - c. Allow sponsors to serve meals and snacks after school and during weekends and breaks throughout the regular school year through SFSP.
- 2. Maximize program effectiveness by:
  - a. Providing funding for start-up grants for mobile meals and other innovative strategies for rural and other hard-to-reach communities.
  - b. Increasing flexibility and supporting options to provide nutrition to children with limited access to congregate feeding models outside of school.
  - c. Giving funding priority for federal grants to programs that sponsor/operate all eligible child nutrition programs.
  - d. Allowing all SFSP sites the option of serving a third meal.
- 3. Establish a national Summer EBT program.
- 4. As part of the COVID-19 response:
  - a. Extend all current waivers to be in place until at least 60 days after the end of the nationally-declared public health emergency under section 319 of the Public Health Service Act (42 U.S.C. 247d).

### **Special Supplemental Nutrition Program for Women, Infants and Children (WIC)**

- 1. Extend eligibility for children until their sixth birthday

2. Extend eligibility for postpartum women to two years.
3. Extend certification periods for all participants to two years
4. Ensure access to WIC for all eligible families
  - a. Develop state-by-state estimates of the number of children under 5 and pregnant women receiving SNAP or Medicaid but not WIC.
  - b. Require states to create and update joint cross-enrollment plans and policies that include cross enrollment goals and timelines routinely refer SNAP and Medicaid recipients to WIC; fund state and local partnerships and technical assistance that help to implement state plans and work toward cross-enrollment goals.
  - c. Expand WIC's breastfeeding services through peer counselors and professional support.
  - d. Improve equity in WIC among race/ethnicity characteristics
  - e. Enhance tribal services.
5. Increase funding for WIC outreach.
6. Modernize and streamline WIC services for families and providers:
  - a. Support efforts to use technology for appointment scheduling and applications, ideally integrated into management information systems
  - b. Leverage telehealth options, including remote nutrition education
7. Require states to accept electronic documents before, during, and after appointments.
8. Expand WIC research in underserved communities.
9. Protect and preserve the scientific integrity of the WIC food package by implementing the recommendations included in the 2017 review by the National Academies of Sciences, Engineering, and Medicine, such as: provide WIC families with options and flexibility to meet their dietary and nutrient needs; opportunities for increased consumption and choice in whole grains, fruits and vegetables; decrease certain foods that were found to be offered in too large a quantity or were burdensome to WIC families; and encourage continued and improved support for breastfeeding moms.
10. Support WIC's electronic benefit service delivery.
11. As part of the COVID-19 response:
  - a. Extend current waivers to be in place until at least 60 days after the end of the nationally-declared public health emergency under section 319 of the Public Health Service Act (42 U.S.C. 247d).
  - b. Ensure enhanced federal unemployment insurance is not countable for WIC.
  - c. Increase the value of WIC's Cash Value Benefit for fruit and vegetable purchases, permitting state WIC agencies to increase the benefit up to \$35/month until at least 60 days after the end of the nationally-declared public health emergency
  - d. Accelerate ability to use WIC EBT for online and ordering and payment as well as for curbside pick-up and self-checkout.

## **NEW YORK STATE PRIORITIES**

In support of New York State's anti-hunger agenda, NYS should ensure "No Wrong Door" policies among all nutrition assistance programs and between those programs and other low-

income programs, including the creation of systemic connections that allow secure sharing of application information among agencies to determine eligibility for all means-tested programs. The following administrative and legislative changes are recommended to maximize the number of eligible low-income New Yorkers receiving federal nutrition benefits:

**Prompt and Full Payments:**

New York State must ensure prompt and full contract reimbursements to social and human service providers during the COVID-19 pandemic. Organizations providing essential and basic services like hunger relief must be held harmless from reductions to contract reimbursements or delayed payments on vouchers.

**Anti-hunger Prioritization and Programming:**

Engage the public health and medical community to promote food access and nutrition as an essential component of a healthy life:

1. Increase provider screening for food insecurity among low-income, vulnerable populations.
2. Teach professionals to identify hunger by incorporating training into curricula to recognize signs and symptoms of hunger.
3. Use New York's 2019-2024 Prevention Agenda's food security goal area to promote interventions, local collaborations, policies, and programs for the public health and healthcare systems to address food insecurity as a factor in adverse health outcomes.

**Supplemental Nutrition Assistance Program (SNAP):**

1. Improve and expand state-level outreach and education efforts:
  - a. Increase funding for the Nutrition Outreach and Education Program by \$2M so that it can serve all New York State counties and provide additional services in high-need counties.
  - b. Increase outreach and education to vulnerable populations with low participation.
  - c. Utilize the state's Medicaid system as a cross-referral mechanism:
    - i. Establish a statewide process to do data matching between Medicaid and SNAP cases to increase participation in SNAP for eligible households.
    - ii. Create linkages between Medicaid and SNAP databases to conduct "in-reach" with Medicaid recipients who are currently not receiving SNAP.
  - d. Ensure outreach, education and application assistance through health homes, Federally Qualified Health Centers, and other healthcare practices that serve a large percentage of low-income patients.
2. Streamline/simplify program:
  - a. End mandatory enforcement of SNAP Employment and Training programs in all counties that are still using this model.
  - b. Adopt uniform rules and ensure uniform enforcement of SNAP across the state.
  - c. Adopt a standard excess medical deduction.

- d. Establish a seamless inter-county transfer process for SNAP recipients who move between counties that would maintain eligibility, ensure continuation of benefits and reduce administrative burdens.
  - e. Establish a 24-month certification period for kinship non-parent caregiver households.
3. Increase access to SNAP by eligible people:
- a. Ensure effective implementation of policy allowing community college students enrolled in a career or technical education program to qualify for SNAP.
  - b. Take maximum advantage of federal ABAWD waivers, grant exceptions and exemptions, and provide ABAWD individuals with timely, consistent, understandable instructions on compliance.
  - c. Develop an Elderly Simplified Application Project in NYS.
  - d. Improve SNAP access for individuals leaving prison and re-entering society.
  - e. Monitor the combined application project (NYSCAP) which will use individualized budgets for people on SSI and living alone when automatically enrolling them in SNAP.
4. Maintain and increase the adequacy of benefits, and incentivize healthy eating, through SNAP:
- a. Maintain food choice for SNAP recipients. Support public campaigns that promote healthy eating, including increased consumption of fruits and vegetables, and decreased consumptions of sugar-sweetened beverages (SSB).
  - b. Increase accessibility to a variety of healthy food for SNAP recipients by reducing food deserts (funded through mechanisms such as a tax on SSB).
  - c. Continue and expand incentive programs to increase buying power for fruits and vegetables at farmers markets and extend these initiatives to include fresh, canned and frozen produce as well as lightly processed food at other types of SNAP retailers.
5. Take advantage of all USDA SNAP program flexibility and waivers throughout the COVID-19 pandemic and the resulting economic downturn:
- a. Continue providing Emergency Allotments (EA's) of SNAP benefits.
  - b. Work to secure federal waivers that ensure all SNAP households receive EA's including those who already receive the maximum benefit; and provide retroactive benefits back to March 2020.
  - c. Extend existing SNAP workload flexibilities to all counties in NYS including extending certification periods, and adjusting interview requirements through June 30, 2021 (as allowed by USDA).
  - d. Suspend the ABAWD time limit rule for as long as there are extended unemployment benefits in NYS or until USDA puts forth a final ABAWD waiver rule.

**Child Nutrition Programs:**

**School Breakfast Program (SBP) and National School Lunch Program (NSLP):**

- 1. Extend free universal school meals to all children statewide.  
These initial policies make progress toward this goal:

- a. Expand universal school meals by maximizing the use of Community Eligibility Provision (CEP) throughout NYS:
    - i. Increase the number of eligible schools implementing CEP to expand school breakfast and lunch participation.
    - ii. Provide guidance to schools on CEP implementation and its potential impact on state aid and state foundation funding.
    - iii. Hold CEP schools harmless from changes to state aid formula as a result of operating a universal school meal program.
    - iv. Incentivize all CEP schools to ensure all-student access.
  - b. Increase the eligibility threshold for free meals to 200% FPL by investing additional state funds to increase school meal reimbursements up to \$1.669 per breakfast and \$2.039 per lunch, for each meal provided to children in households with incomes above 185% FPL up to 200% FPL.
2. Improve New York State's direct certification process:
    - a. Include all the federally allowable categories to be included in the state's electronic Direct Certification Matching Process (DCMP)
    - b. Ensure NY State Education Department (NYSED) monitors implementation and continues to make improvements to data matching algorithms within the state's DCMP.
    - c. Coordinate within NYSED to improve student databases for purposes of strengthening access to school meal programs.
  3. Protect and expand current school breakfast state law to ensure Breakfast in the Classroom for all children in eligible schools.
  4. Protect and maintain the current Farm to School 30% NYS Incentive Program to ensure access to fresh, local New York State products through the federal school meal programs.
  5. Protect and maintain all current state reimbursement investments in the SBP and the NSLP.
  6. As part of the COVID-19 response:
    - a. Deliver Pandemic-EBT benefits to all eligible children through a timely, streamlined benefit delivery process enhanced with robust public education.
    - b. Ensure continued access to school meals throughout the COVID-19 pandemic.
    - c. Create and maintain a public resource of meal access sites for the duration of the public health crisis to ensure parents can access meals provided by schools and community-based organizations in the closest community.

**Child and Adult Care Food Program:**

1. Improve and expand state-level outreach and education efforts:
  - a. Increase outreach, education, application, and claiming assistance to providers throughout the application process and beyond.
  - b. Ensure NYS Department of Health (DOH) regularly assesses, revises if needed, and reports on use of the online CACFP prescreening tool for potential providers.
  - c. Strengthen linkages between NYS Office for Children and Family Services (OCFS) and DOH/CACFP databases to conduct regular "in-reach" with licensed

- and registered child care and afterschool providers who are not participating in CACFP.
- d. Create linkages with NYSED and DOH/CACFP databases to conduct regular “in-reach” with summer meals sponsors and school districts that provide afterschool snacks through NSLP, but are not participating in CACFP.
  - e. Provide supplementary guidance on School Age Child Care (SACC) registration requirements to better prepare afterschool programs seeking to apply for CACFP.
2. Streamline CACFP application and administration by implementing allowable USDA paperwork reduction recommendations when applicable to NYS, including:
    - a. Eliminating state-specific documentation and recordkeeping requirements that are not required by federal regulation.
    - b. Allowing SFAs to apply for CACFP using their NSLP application with an addendum for additional information required for CACFP.
  3. Require eligible schools hosting space for afterschool enrichment programs or providing extended learning days to provide access to CACFP’s At-Risk Afterschool Snack/Supper Program and/or NSLP snacks.
  4. Require schools and community-based organizations receiving afterschool program grants administered through OCFS (Advantage After School, Empire State, and Youth Development Program) or NYSED (21st Century Community Learning Centers, Extended School Day/School Violence Prevention) to ensure program participants have access to afterschool nutrition through CACFP’s At-Risk Afterschool Snack/Supper Program or NSLP snacks, with encouragement to serve complete meals through CACFP where eligible.
  5. Provide supplemental reimbursement to CACFP providers in recognition of food and administrative costs to provide the program in NYS.
  6. Implement and/or promote use of model practices from other states that increase participation and retention, such as:
    - a. Offering alternative meal service models such as the umbrella model, meals in the classroom, and campus model.
    - b. Maximizing current sponsor capacity (for both affiliated and unaffiliated sites).
    - c. Providing recorded online training opportunities for potential and new sponsors.
    - d. Providing guidance specific to school food authorities to show flexibility in sponsor application process for these entities.
  7. Improve the CACFP Information and Payment System to mitigate providers’ and sponsors’ reliance on external software to streamline paperwork.
  8. Implement all available waivers and flexibilities to ensure access to and viability of CACFP during the COVID-19 pandemic and the resulting economic downturn.
    - a. In the absence of nationwide waivers for additional needed flexibilities, apply for statewide waivers.

## **Summer Food Service Program**

1. Require school districts with eligible schools in underserved communities to provide meals to sites, as a sponsor or vendor, for a minimum of 30 days, with increased administrative support from the regulatory agency.
2. Develop a system to promote and connect sites with sponsors in both SFSP and CACFP, including posting information and resources on both agency websites; coordinate, cross promote and cross train on both programs.
3. Protect and maintain all current state reimbursement investments in the SFSP
4. Provide supplemental reimbursement and/or funding incentives for sponsors to:
  - a. Include enrichment activities in their meal service.
  - b. Provide transportation to underserved areas.
  - c. Increase the amount of NYS-grown fruit and vegetables on the menu.
  - d. Expand their service reach in terms of meal types served, average daily participation, and days of service in underserved areas, weeks of summer and/or school holidays.
5. Ease program administration and operation for sponsors and sites by integrating the use of more technology to increase capacity.
6. Implement all available waivers and flexibilities to ensure access to and viability of SFSP during the COVID-19 pandemic and the resulting economic downturn:
  - a. Encourage all schools to use SFSP/SSO nationwide waiver to feed all students for free during the 2020-2021 school year.
  - b. Proactively bring more School Food Authorities into the SFSP during the 2020-2021 school year, and ahead of summer 2021.

#### **Special Supplemental Nutrition Program for Women, Infants and Children (WIC)**

1. Maximize participation among eligible New Yorkers:
  - a. Align program with the NYS First 1000 Days initiative to extent possible.
  - b. Create effective automatic referral system with other programs/agencies serving potentially eligible families, including Medicaid, SNAP, and Early Head Start
  - c. Create and implement comprehensive statewide outreach plan
  - d. Initiate online tools to facilitate prescreening and application
2. Ensure consistent communication and policy guidance from regional offices to local agencies.
3. If USDA waiver approved, encourage local agencies to provide remote nutrition education.
4. Accelerate ability to use WIC EBT for online ordering and payment, and for touch-free pick-up and self-checkout.