



## Campaign for a Hunger-Free New York Public Policy Priorities for 2023

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Hunger Solutions New York is a statewide non-profit organization dedicated to alleviating hunger by maximizing participation in federal nutrition assistance programs for all who are eligible. 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 ongoing impact of the COVID-19 pandemic has created unprecedented demand for access to federal nutrition assistance programs. Federal and state governments responded swiftly with program flexibilities and increases that had a measurable impact on food insecurity. Now, a focused and coordinated long-term response that makes permanent the most impactful lessons learned during the pandemic 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); school meal programs including the National School Lunch Program (NSLP) and School Breakfast Program (SBP) as well as Community Eligibility Provision (CEP); out-of-school programs including the Summer Food Service Program (SFSP), Child and Adult Care Food Program (CACFP), and Pandemic-EBT; and the Supplemental Nutrition Program for Women, Infants and Children (WIC).

## **FEDERAL PRIORITIES**

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

1. Expand the number of people who are eligible to participate in SNAP:
  - a. Align federal assistance programs with the eligibility standards of the Affordable Care Act, allowing all lawfully present immigrants to access federal programs without discriminatory bars or waiting periods.
  - b. End Able-Bodied Adults Without Dependents (ABAWD) time limits for all unemployed adults.
  - c. Permanently expand SNAP eligibility to students by eliminating long-standing work-for-food SNAP rules that require many students to work at least 20 hours per week or participate in federal work-study.
  - 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.
  - e. Repeal the 1996 ban on people with drug felony convictions receiving SNAP and allow for application to these programs before release.
2. Ensure SNAP accessibility and flexibility throughout the COVID-19 pandemic and the resulting economic downturn.
  - a. Extend the federal pandemic emergency rules allowing states to provide interview adjustment waivers and emergency allotments of SNAP.
3. 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. Eliminate the cap on the Excess Shelter Deduction in the SNAP formula for all households to consider the cost of living for SNAP recipients in areas with high rent and utilities.
  - c. Permanently authorize the standard medical deduction at a minimum of \$140 for all seniors and disabled individuals to eliminate manual itemizing and to maximize SNAP benefit. Individuals with higher expenses could continue to apply for a higher, itemized medical deduction.
  - d. Remove restrictions on purchase of hot prepared food items at participating SNAP retail locations.
  - e. 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.

**School Meal Programs: School Breakfast Program (SBP), National School Lunch Program (NSLP), Community Eligibility Provision (CEP):**

1. Expand student access to school meals:
  - a. Establish nationwide universal school meal program where healthy free school meals are available to all children, regardless of individual household income.
  - b. Strengthen and expand the Community Eligibility Provision (CEP), in absence of a nationwide universal school meal program, in the following ways:
    - i. Establish a statewide option to adopt CEP to enable states to implement statewide universal meal programs.
    - ii. Increase the reimbursement multiplier– currently 1.6 – to 2.5 percent, so that all eligible schools are able to adopt CEP and receive 100% federal reimbursement to cover the cost of providing free school meals for all.
    - iii. Lower the eligibility threshold from 40% to 25% of Identified Student Percentage (ISP).
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.
  - 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 overt-identification of students who cannot pay for lunch at school and punitive actions toward families.
3. Streamline eligibility and the verification process to improve program access:
  - a. Streamline 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. Expand Medicaid direct certification nationwide to automatically certify children for free or reduced-price school meals who live in a Medicaid supported household and are within the income limits for the National School Lunch Program (NSLP).
    - ii. Extend categorical eligibility for free school meals to:
      1. Children who receive Supplemental Security Income (SSI) benefits, guardianship, or adoption assistance payments, or are in kinship care.
      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.

- b. Require states to incorporate all new and currently categorically eligible children into current data matching systems.

### **Out-of-School-Time Meal Programs: (Summer Food Service Program (SFSP), Child and Adult Care Food Program (CACFP) Afterschool Meals)**

1. Streamline eligibility and administration to improve program access:
  - a. Eliminate the area eligibility test for summer and afterschool meals to ensure access to healthy meals in all communities, including rural areas, which often do not meet the current eligibility threshold.
    - 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. Allow meal program sponsors to feed children year-round seamlessly:
    - i. Allow schools to provide meals after school and during weekends and breaks throughout the regular school year through the National School Lunch Program.
    - ii. Allow summer meal sponsors to serve meals and snacks after school and during weekends and breaks throughout the regular school year through the Summer Food Service Program.
  - c. Building on the success of the Pandemic EBT program and Summer EBT pilots, establish a permanent, nationwide Summer EBT program, providing EBT benefits to eligible children – those who qualify for free or reduced-price school meals, SNAP, and/or WIC – during the summer, school breaks, and unanticipated school closures.
2. Maximize program effectiveness:
  - a. Allow all summer meal sites the option of serving a third meal.
  - b. Provide funding for summer meals start-up grants for mobile meals and other innovative strategies for rural and other hard-to-reach communities.
  - c. Increase flexibility and supporting options to provide summer nutrition to children with limited access to congregate feeding models outside of school.
  - d. Give funding priority for federal grants to programs that sponsor/operate all eligible child nutrition programs.

### **Child Care Meal Programs**

1. Streamline eligibility and administration to improve program access:
  - a. Eliminate the area eligibility test for family, group family, and legally exempt child care providers, allowing all such providers to receive Tier 1 reimbursement rates.
  - b. 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.
  - c. Establish an area eligibility option for child care centers.
  - d. Allow annual eligibility for proprietary centers.
  - e. Modernize CACFP applications and enrollment forms, including eliminating normal

- days and hours from forms.
  - f. Reauthorize a paperwork reduction workgroup.
2. Maximize program effectiveness:
- a. Restore CACFP providers' option to serve a third meal in full-day child care.
  - b. Increase CACFP reimbursement rates to align with updated meal patterns that strengthen the nutritional quality of meals and snacks.
  - c. Align the reimbursement rates for legally exempt, family and group family child care providers with rates used for child care centers using the Consumer Price Index for Food Away From Home as the cost of living adjustment.
  - d. Increase administrative reimbursement rates for CACFP sponsors to fully cover the cost of administering the program.

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

1. Protect and preserve the scientific integrity of the WIC food package by improving the adequacy of benefits:
- a. Sustain the increase in WIC's Cash Value Benefit through at least September 2023 and take additional steps to permanently enhance the value and nutritional quality of WIC-approved foods, in alignment with expert recommendations from the National Academies of Sciences, Engineering, and Medicine.
  - b. Implement the recommendations included in the 2017 review by the National Academies of Sciences, Engineering, and Medicine:
    - 1. Provide WIC families with options and flexibility to meet their dietary and nutrient needs.
    - 2. Allow increased consumption and choice in whole grains, fruits and vegetables.
    - 3. Decrease certain foods that were found to be offered in too large a quantity or were burdensome to WIC families.
    - 4. Encourage continued and improved support for breastfeeding mothers.
2. Streamline eligibility and administration to improve and expand program access:
- a. Go-To WIC: USDA should partner with Medicaid and private health plans to provide nutrition counseling and breastfeeding services to all while continuing to means-test WIC's healthy food benefit.
  - b. Extend eligibility to address targeted nutrition gaps in current eligibility:
    - i. Extend eligibility for children until their sixth birthday.
    - ii. Extend postpartum eligibility until two years.
  - c. Modernize and streamline WIC services to expand access to WIC for all eligible families:
    - i. Relax physical presence requirements to permit remote certifications and allow families 90 days to demonstrate nutrition risk.
    - ii. Require states to accept electronic documents before, during, and after appointments.
    - iii. Extend certification periods to two years for all categories and align

- certification periods for all family members.
  - iv. Incorporate additional programs targeted at young children, including Early Head Start, as adjunctively eligible programs to enhance retention of toddlers.
  - v. Develop state-by-state estimates of the number of children under 5 and pregnant women receiving SNAP, Medicaid, Early Head Start or Head Start but not WIC.
  - vi. Support efforts to use technology for applications, appointment scheduling, and ongoing participant requirements, ideally integrated into state management information systems.
  - vii. Require states to create and update joint cross-enrollment plans and policies that include cross enrollment goals and timelines that 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.
  - d. Improve equity in WIC among race/ethnicity characteristics:
    - i. Enhance data collection efforts, targeting outreach, and strengthening tribal services.
    - ii. Ensure ongoing access to WIC services for immigrant or mixed-status families.
    - iii. Establish annual funding for WIC outreach.
3. Maximize program effectiveness by:
- a. Modernize WIC services to enhance WIC's public health impact and provide a participant experience compatible with other benefit programs and healthcare/commercial standard practices.
    - i. Leverage telehealth options to provide a modern participant experience, including online nutrition education.
    - ii. Provide additional funding to accelerate online shopping solutions that permit online transaction, in-store or curbside pickup, and additional transaction technologies that afford WIC participants a modern, convenient, and equitable shopping experience.
    - iii. Expand WIC's breastfeeding services through peer counselors and innovative out-of-clinic placement of WIC breastfeeding staff at hospitals, physician offices, and with home visiting programs.
    - iv. Consider appropriate flexibilities to enhance WIC's capacity to respond to disasters and emergencies.
    - v. Strengthen state spend-forward authorities to permit greater flexibility in program investments.
  - b. Expand WIC research in underserved communities.
4. As part of the COVID-19 response:
- a. Protect current waivers that remain in place until at least 90 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 any future enhanced federal unemployment is not countable for WIC.
  - c. Expand P-EBT eligibility criteria for children 0-6 to include WIC participant children.

## **NEW YORK STATE PRIORITIES**

### **Anti-hunger Prioritization and Programming:**

1. As New York State’s Integrated Eligibility System (IES) is developed, it should ensure “No Wrong Door” to facilitate access to nutrition assistance programs for low-income residents, including systems integrations that allow secure sharing of application information among agencies to determine eligibility for all means-tested programs. IES should ensure seamless application and benefit utilization experience. Include advocates and stakeholders in planning and implementation.
2. Engage the public health and medical community to promote food access and nutrition as an essential component of a healthy life:
  - a. Increase health care provider screening for food insecurity among low-income, vulnerable populations.
  - b. Teach professionals to identify hunger by incorporating training into curricula to recognize signs and symptoms of hunger.
  - c. 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. Maintain current funding for the Nutrition Outreach and Education Program (\$4.2M) to allow uninterrupted services in all New York State counties and provide additional services in some high-need counties.
  - b. Increase outreach and education to vulnerable populations with low participation, including priority areas identified by USDA.
    - i. Advance racial equity in SNAP in NYS by assessing existing racial disparities in SNAP participation and reducing barriers to participation by underserved populations in the state.
    - ii. Continue work with SUNY and CUNY to ensure that all low-income students have access to SNAP in NYS.
    - iii. Develop relationships with New York State Division of Veterans’ Services and other local veteran service organizations to help connect veterans to SNAP in NYS.
    - iv. Ensure that Immigrant communities and mixed status families understand the changes to the public charge rule and current eligibility rules for this population.
  - 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.

- e. Increase outreach and education on new ways to utilize benefits including online retailers, restaurant meals, and through incentive programs; and for waivers and replacement benefits during declared emergencies.

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 SNAP rules and ensure their consistent implementation 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. Replicate HRA's Interactive Voice Response System (IVRS) upstate so that people 55 and older and those with disabilities have access to an automated phone system to complete their recertification process and align with myBenefits and interview systems in upstate counties.
- f. Require all counties to provide mobile document upload services for SNAP.

3. Increase access to SNAP by eligible people:

- a. Take maximum advantage of federal ABAWD waivers, grant exceptions and exemptions, and provide ABAWD individuals with timely, consistent, understandable instructions on compliance.
- b. Ensure that seniors stay connected to SNAP and are seamlessly transferred during the rollout of ESAP in NYS
- c. Improve SNAP access for individuals leaving prison and re-entering society.
- d. Ensure that NYS Nutrition Improvement Program (NYSNIP) recipients stay connected to SNAP and are seamlessly transferred to the new Combined Application Project (NYSCAP).
- e. Extend the USDA NYC texting pilot statewide to reduce churn and save SNAP offices time and money by reminding people of critical steps around interviews and recertifications ensuring that eligible households continue to receive SNAP benefits.
- f. Remove the requirement of an email address on the myBenefits portal for SNAP applications and access to EBT accounts.

4. Maintain and increase the adequacy of benefits, and incentivize healthy eating, through SNAP:

- a. Ensure that when implementing the Restaurant Meals Program, NYS includes healthy options for target population, and adequate availability of locations throughout counties in NYS.
- b. 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).



- c. Increase accessibility to a variety of healthy food for SNAP recipients by reducing food deserts (funded through mechanisms such as a tax on SSB).
  - d. Expand the SNAP Online Purchasing Pilot, to include smaller local grocers and farmers markets; while ensuring online purchasing is available throughout the state.
  - e. 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 as long as there is a federal pandemic emergency declaration in place.
  - b. Extend existing SNAP flexibilities for interview adjustments to all counties in NYS as long as the federal pandemic emergency declaration is in place. (as allowed by USDA).
  - c. Ensure that NYS utilizes the ARPA Administrative SNAP funding in year 3 for SNAP access related initiatives and projects as intended by congressional intent and USDA guidance.

**Child Nutrition Programs:**

**School Meal Programs: School Breakfast Program (SBP), National School Lunch Program (NSLP), and Community Eligibility Provision (CEP):**

1. **Expand student access to free school meals:**
  - a. Establish and fund a statewide, permanent Healthy School Meals for All NY Kids program across all schools in the NSLP.
  - b. Maximize the use of Community Eligibility Provision (CEP) throughout NYS:
    - i. Provide state supplemental funding to all schools eligible for CEP who do not receive 100% federal free reimbursement rate for all meals served through the Healthy School Meals for All NY Kids program. State funding should fill the gap in CEP reimbursement to ensure all high-poverty schools are fully-funded, and therefore able to implement CEP.
  - c. Remove state-level barriers to CEP adoption:
    - i. Provide guidance to schools on CEP implementation and its potential impact on state aid and state foundation funding.
    - ii. Hold CEP schools harmless from changes to state aid formula as a result of operating a universal school meal program.
2. Streamline/Simplify program:
  - a. Improve New York State's direct certification process:
    - i. Include all the federally allowable categories to be included in the state's electronic Direct Certification Matching Process (DCMP)

- ii. Ensure NY State Education Department (NYSED) monitors implementation and continues to make improvements to data matching algorithms within the state's DCMP.
  - iii. Coordinate within NYSED to improve student databases for purposes of strengthening access to school meal programs.
3. Protect state investments:
- a. Protect and expand current school breakfast state laws to ensure Breakfast After the Bell programming for all children in all required schools.
  - b. Protect and expand the current Farm to School 30% NYS Incentive Program to include all school meals to reduce local administrative burdens to leverage this program and ensure access to fresh, local New York State products through the federal school meal programs.
  - c. Protect and maintain all current state reimbursement investments in the SBP and the NSLP.

**Out-of-School-Time Meal Programs: (Summer Food Service Program (SFSP), Child and Adult Care Food Program (CACFP) Afterschool Meals)**

- 1. Improve and expand state-level outreach and education efforts:
  - a. Coordinate and cross-promote SFSP and CACFP, by posting information and resources on both state agency websites, and by developing a user-friendly system to connect sites with sponsors in both programs.
  - b. Strengthen linkages between NYS Office for Children and Family Services (OCFS) and DOH/CACFP databases to conduct regular outreach to registered school-age child care providers who are not participating in CACFP.
  - c. Create linkages with NYSED and DOH/CACFP databases to conduct regular outreach to summer meal sponsors and school districts that are not participating in CACFP, including SFAs that currently provide afterschool snacks through NSLP.
  - d. Increase outreach, education, application, and claiming assistance to CACFP providers throughout the application process and beyond.
    - i. Ensure NYS Department of Health (DOH) regularly assesses, revises if needed, and reports on use of the online CACFP prescreening tool for potential providers.
    - ii. Provide user-friendly supplementary guidance and assistance to help afterschool program providers understand school-age child care registration requirements as they pertain to CACFP.
    - iii. Provide recorded online training opportunities for potential and new sponsors.
- 2. Streamline program applications and administration:
  - a. Implement allowable USDA CACFP paperwork reduction recommendations when applicable to NYS, including:
    - i. Eliminating state-specific documentation and recordkeeping requirements that are not required by federal regulation.
    - ii. Allowing SFAs to apply for CACFP using their NSLP application with an

addendum for additional information required for CACFP.

- b. Ease SFSP and CACFP administration and operation for sponsors and sites by integrating the use of more technology to increase capacity.
3. Maximize program access:
    - a. Require school districts with eligible schools in underserved communities to provide summer meals as a sponsor or vendor for a minimum of 30 days, with increased administrative support from the regulatory agency.
    - b. 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.
    - c. 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.
    - d. Implement and/or promote use of model CACFP practices that increase participation and retention, such as:
      - i. Offering alternative meal service models such as the umbrella model, meals in the classroom, and campus model.
      - ii. Maximizing current sponsor capacity (for both affiliated and unaffiliated sites).
      - iii. Providing guidance specific to school food authorities to show flexibility in the sponsor application process for these entities.
  4. Protect and strengthen state investments:
    - a. Maintain all current state reimbursement investments in the SFSP.
    - b. Provide supplemental reimbursement and/or funding incentives for summer meal sponsors to:
      - i. Include enrichment activities in their meal service.
      - ii. Provide transportation to underserved areas.
      - iii. Increase the amount of NYS-grown fruit and vegetables on the menu.
      - iv. Expand their service reach in terms of meal types served, average daily participation, and days of service.
    - c. Provide supplemental reimbursement to CACFP providers in recognition of food and administrative costs they incur to provide the program in NYS.
    - d. Maintain current state funding for CACFP outreach.

### **Child Care Meal Programs**

1. Improve and expand state-level CACFP 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 outreach to licensed and legally exempt child care providers who are not participating in CACFP.
  - d. Provide recorded online training opportunities for potential and new sponsors.
2. Streamline CACFP application and administration:
    - a. Implement allowable USDA CACFP paperwork reduction recommendations when applicable to NYS, including eliminating state-specific documentation and recordkeeping requirements that are not required by federal regulation.
    - b. Improve the CACFP Information and Payment System to mitigate providers' and sponsors' reliance on external software to streamline paperwork.
  3. Protect and strengthen state investments:
    - a. Provide supplemental reimbursement to CACFP providers in recognition of food and administrative costs to provide the program in NYS.
    - b. Maintain current state funding for CACFP outreach.

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

1. Maximize participation and retention among eligible New Yorkers:
  - a. Identify opportunities to more closely align WIC outreach and referrals with NYS First 1000 Days initiative.
  - b. Create effective automatic referral system with other programs/agencies serving potentially eligible families, including Medicaid, SNAP, Early Head Start and Head Start
  - c. Maintain comprehensive statewide outreach plan
  - d. Improve online tools to facilitate prescreening and application, especially among non-English readers
  - e. Accelerate ability to use WIC EBT for online ordering and payment, and for touch-free pick-up and self-checkout.
  - f. Include WIC in state emergency and disaster planning
2. Ensure consistent communication and policy guidance from regional offices to local agencies.
3. Support efforts to use technology for applications, appointment scheduling, and ongoing participant requirements, ideally integrated into state management information systems.