MEMORANDUM

DATE:       June 26, 2015

TO:         All Members of the Delaware House of Representatives
           and Delaware State Senate

FROM:       Ms. Daniese McMullin-Powell, Chairperson
           State Council for Persons with Disabilities

RE:         H.B. 94 (Supplemental Nutrition Assistance Program)

The State Council for Persons with Disabilities (SCPD) has reviewed H.B. 94 which
would amend State law by adding the following limit on purchases: “Benefits provided pursuant
to this Chapter shall only be used for foods, food products, and beverages that have beneficial
nutritional value.” The Department of Health & Social Services (DHSS) would be directed to
issue implementing regulations to “identify specific foods, food products, and beverages, or
general categories of foods, food products, and beverages.....that have beneficial nutritional
value.” DHSS would also be required to apply for a waiver from the U.S. Department of
Agriculture (USDA) to permit implementation of the law.

As background, consistent with the attached articles, approximately 17% of Delawareans
(152,000) participate in the Supplemental Nutrition Assistance Program (SNAP). Benefits are
paid entirely from federal funds but the State shares administrative costs. SNAP recipients
cannot use the assistance to purchase beer, wine, liquor, cigarettes, tobacco, nonfood items,
vitamins, medicine, hot food, and any food that will be eaten in a store.

This bill is identical to H.B. 293 which was introduced in April 2014 and tabled in the House
Health & Human Development Committee. SCPD opposed the predecessor bill and also
opposes the current legislation based on the following observations.

As reflected in the attached articles, the USDA has never granted a SNAP waiver limiting
benefits to perceived healthy foods. The legislation is opposed by DHSS and the Delaware Food
Bank. The Food Bank CEO offered the following observation:
The biggest barrier between low-income Delawareans and a healthy diet is not a lack of will or self-control, but a lack of affordability and accessibility. ... Fresh, healthy food is just more expensive than the alternatives and in some neighborhoods it’s not even stocked in some stores.

Since the benefits average $1.40 per person per meal, recipients are hard-pressed to budget for acquisition of basic food products. The attached Delaware News Journal editorial questioned the wisdom underlying the bill and suggested adoption of positive incentives for electing healthier foods:

Limiting shopping choices to ‘nutritional foods’ is wrong-minded and meddlesome at the ‘Big Brother’ level. Rewards in the form of a little extra subsidy for better health choices will do a lot more to change food stamp recipients’ poor eating habits.

Finally, a one-size-fits-all list of “healthy” foods may be an illusory goal. Some would posit that “red meat” is unhealthy, that canned soup with typically high sodium content is unhealthy, and that non-organic produce is unhealthy. Indiividuals may be on special diets which may not match a regulatory list of “approved” foods.

Thank you for your consideration and please contact SCPD if you have any questions regarding our position or observations on the proposed legislation.

cc: Mr. Brian Hartman
    Governor’s Advisory Council for Exceptional Citizens
    Developmental Disabilities Council

HB 94 supplemental nutrition assistance program 6-23-15
Food stamp bill has nutrition provision

GOP-sponsored proposal not backed by Food Bank, others

By James Fisher
The News Journal

A GOP-sponsored bill would limit food stamp purchases of certain foods, but supporters argue it's needed to improve nutrition.

The bill sponsored by Rep. David Lantos of Newark, R-Delaware, and Sen. Greg Leavelle, R-Henlopen, seeks to prevent the purchase of foods that are high in calories, fat, sugar or sodium.

The bill would also require the Food and Nutrition Service to implement a nutrition education program to help individuals make healthier choices.

The bill's sponsor, Lantos, said it's necessary to improve the nutrition of people who rely on food stamps.

Sen. Leavelle, who co-sponsored the bill, said it's important to ensure that the money people receive through the food stamp program is being spent wisely.

The bill has been referred to the House Ways and Means Committee and the Senate Committee on Aging and Families.

The Food Bank of Delaware said it supports the bill's goals but has concerns about how it could be implemented.

A spokesperson for the organization said the bill could lead to confusion about what types of food are allowed under the program.

Rep. Lantos said he believes the bill will be passed by the House and Senate and signed into law by the governor.

The bill is one of several initiatives being considered in the state to address the issue of obesity and poor nutrition.

A recent report by the Centers for Disease Control and Prevention found that Delaware has the third-highest rate of obesity in the country.

Lantos said he hopes the bill will help address that problem.

"I think it all comes down to education," he said.

"I have had some of the best nutrition programs in the state and have seen the results firsthand. But education is key."
Try incentivizing food stamp changes

Our View 7:22 p.m. EDT April 22, 2014

Although maybe unintended, an air of meanness typically hovers over calls to reform the Supplemental Nutritional Assistance Program, better known as food stamps. As a result, Republican lawmakers’ pitch for the “Delaware Nutritional Improvement Act” to get food stamp recipients to choose more healthy food items, will likely translate negatively.

First of all, this is a federal government-run program that has a long history of mismanagement when it comes to client abuse of the benefits. This reality summons up memories of President Ronald Reagan’s line about “welfare queens” and lazy single mothers with multiple children in fatherless homes or neighborhood shysters who hoard food stamps for cash.

Second, the program is extraordinarily costly, so much so that just within the last year Congress has favored trading off funding cuts in the millions to the monthly allotment for food stamp recipients’ groceries in favor of funding higher federal subsidies to aid rural farmers.

But thirdly and more important, food stamps are a necessary bridge for millions of Americans who are out of work or face extreme income deficits, despite having a job.

Remove the assistance entirely or keep wheedling away at the benefit in the name of balancing the budget, then be prepared for the results in terms of higher health costs and likely crimes committed—not in the name of typical urban malfeasance—but at the urging of grumbling empty stomachs. Those are the realities when a $4.50-a-day food budget is the norm.

Isn’t there a better way to address both problems of an overblown food stamp budget and the low-income assistance it provides?

Yes, backers of the Delaware Nutritional Improvement Act are correct about the benefit of more healthy food choices for welfare recipients. However, the message sent is not one of concern for food stamp recipients’ diet necessarily, but meddling in the grocery carts of adults, many of whom are embarrassed to pull out those government slips to hand to the cashier. They are well aware of the scowls of those in line, who are able to pay with credit cards or cash.

Rather than punting food stamp users for failure to stock their carts with more fruits and vegetables, than soda and potato chips, Delaware Republicans would be wise to remember the advice that Russian leader Nikita Khrushchev handed out after he made name for his liberal government policies: “Call it what you will, incentives are what get people to work harder.”

So why use the club of the law to penalize recipients’ food choices? Limiting shopping choices to “nutritional foods” is wrong-minded and meddlesome at the “Big Brother” level. Rewards in the form of a little extra subsidy for better health choices will do a lot more to change food stamp recipients’ poor eating habits.

Food stamp use increasing in Delaware

William H. McMichaels, Jan Offord and James Parker, The News Journal 12:33 a.m. EST March 9, 2014

Each Delaware community experienced different problems.

In New Castle County, it was the loss of good-paying jobs. In Smyrna, thousands of newcomers seeking an affordable life stumbled into economic troubles. In Rehoboth Beach, younger workers and seniors struggled to make ends meet.

In each, increasingly, many Delawareans needed help with food.

The number of state residents receiving food stamps has nearly tripled over the past 10 years, far outpacing the relatively small increase of 14 percent in population.

For Joyce Robertson, 66, of Wilmington, it began in 2004, when she was forced to become legal guardian to her two granddaughters. "I've been on food stamps ever since," she said.

"When I go to the grocery store, if I get a family pack of chicken wings, it's $12 and something out of the $99," she said. "So I split it and try to make two meals. Whatever they got on sale, I try to get it. And the rest, I go to a dollar store and get dollar hot dogs, and stuff like that."

Robertson says she can't afford to buy the juice and vegetables she knows her granddaughters need for a well-rounded diet. There's a food pantry at the nearby St. Patrick's Center, which provides emergency food for those in need. But demand is high and the pickings, she said, are sometimes slim.

"You got to get there, like, 6 o'clock in the morning, to sign up, because there's a great big line," she said. "And if you don't get there that early ... there may be nothing left. There might be one orange, or one apple."

The News Journal obtained data from the Department of Health and Social Services showing the number of food stamp recipients in each ZIP code around the state for 2003 and 2013. The data show where food stamp use has increased the most, but every county experienced an increase of at least 97 percent.

Food stamp use increasing in Delaware

In New Castle County’s 19713 ZIP code south of Newark, the population fell 2.7 percent, yet the number of food stamp recipients increased 299 percent.

In Kent’s 19977 in Smyrna, the population grew by an astonishing 70 percent, while the food stamp population increased 260 percent. In the Rehoboth Beach area of Sussex, where population grew nearly 23 percent, the number of food stamp users skyrocketed 325 percent.

STORY: One NGCP community looks to recover [link]

STORY: Rising need ‘a big deal’ in Smyrna [link]

STORY: Coastal Sussex changes hit some hard [link]

Overall, the state’s food stamp rolls grew faster in the past decade, by 199 percent, than the national average of 124 percent. And it far surpassed increases in neighboring Pennsylvania and New Jersey, both of which dwarfed Delaware’s rate of population growth.

Simply put, more than 162,000 Delawareans—17 percent of the population—count on government help to eat. That’s up from about 51,000 a decade ago. And the people who oversee food stamps in the state expect demand to remain high despite a healthier U.S. economy.

MAP: Food stamp enrollment [link]

"As the economy improves, our rate of growth has definitely tapered," said Elsane Archangelo, director of the Delaware Division of Social Services. "But I’m not expecting the caseload to decline in this slow-growth economy."

Economic woes

The food stamp program is funded by the U.S. Department of Agriculture, and Congress appropriates money for it in the farm bill. Only the federal government pays for the direct aid, with states picking up about half of the administrative costs.

Currently, this year’s food stamp benefit averages out to pay $1.40 per person per meal, according to the Center on Budget and Policy Priorities. It’s not a lot, said Lawana Pipkin of Wilmington, a mother of seven children ages 18 to 2, with another on the way.

"It can become, like, stressful, very depressing," said Pipkin, who one morning last week had no milk for her children’s breakfast and was unable to afford more. She was about a week shy of receiving her March food stamps.

Delaware, along with most states, actively encourages those eligible to sign up for food stamps, a benefit provided based on income. And as many states have done, Delaware expanded eligibility in recent years, automatically making households eligible for food benefits if they qualify for welfare.

"My opinion is, it's definitely primarily because of the economy," Archangelo said. "Food stamps are a little bit of a precursor of the economy tanking. We started to see the use of food stamps inch up before 2008. The low-income people that we serve tend to lose their jobs first."

The loss of quality jobs, particularly in New Castle County, has contributed to the rise, said Patricia Beebe, CEO of the Food Bank of Delaware, which provides donated food to 477 pantries and programs around the state.

"It's not just the loss of good-paying jobs. It's also what workers are getting paid," she said.

The huge increase in demand for food stamps is highly concerning, said Patricia Beebe, CEO of the Food Bank of Delaware. (5/14)

The top industry for employment growth in the state is fast food, said David Grimaldi, New Castle County's chief administrative officer.

"Fast food don't buy houses," said Tom Gordon, New Castle County executive.

(Fairviewnews/local/2014/05/06/food-stamp-encolamy/51445580/Filling the gap)

Throughout Delaware, working families aren't earning enough to pay for a basic need — food. Of the 26,700 Delaware families receiving food stamps, half of them had one family member with a job in the last 12 months, and nearly a third had two workers in the household, according to the most recent data available from the U.S. Department of Agriculture.

Most people using the benefit also are caring for children, with 89 percent of food stamp households reporting at least one child younger than 18. The median income of a Delaware household relying on food assistance last year was $23,104.

STORY: Shopping trips involve careful planning (fairviewnews/local/2014/05/06/food-stamps-in-delaware-shopping-trips-involve-careful-planning/51455870)

About 77 percent of eligible Delawareans actually receive the benefits, according to Matt Taylor, food stamp outreach coordinator for the Food Bank of Delaware. The 23 percent who do not receive the benefit — "the most vulnerable people," he called them — often have not even applied.

These, he said, include seniors, many of whom have no access to transportation; Latino and Hispanic households who face additional language barriers; and the working poor — those with an income, but one that isn't enough.

Beebe, who describes her organization as being counted upon to "swoop in and try to put a finger in the dike," said the Food Bank is not catching up to demand.

"There is no way that we can continue to fill the gap," Beebe said.

President Barack Obama's economic stimulus bill in 2009 had increased food stamp benefits around the country for several years. But an effort in Congress to extend that last year couldn't overcome opposition from Republicans who said the benefits were ineffective and the system vulnerable to fraud.

"As long as we continue to follow that pattern," said Dan Reyes, who coordinates the Food Bank's Coalition to End Hunger, "we're just going to keep chipping away at a program that's designed to stimulate the economy while need increases."

Food stamp use increasing in Delaware

COLUMNS: Food stamps keep millions from going hungry (letter/opinion)/columns/de/20140307/food-stamps-keep-millions-from-going-hungry-81676438

COLUMNS: Playing politics with food stamps (letter/opinion)/columns/de/20140306/playing-politics-with-food-stamps-82055260

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