

Federal Nutrition Programs during COVID-19
Families First Act & CARES Act
(Updated as of April 3, 2020)

Women Infants and Children (WIC)

The Families First Coronavirus Response Act provided **\$500 million** for the Special Supplemental Nutrition Program for Women Infants and Children (WIC) to provide access to nutritious foods to low-income pregnant women or mothers with young children who lose their jobs or are laid off due to the COVID-19.

Vermont WIC Waivers granted to date:

- **Section 2204 of H.R. 6201, related to the separation of duties provision within WIC** - Separation of duties is a program integrity measure whereby certification functions are assigned to more than one staff so that the same employee is prohibited from determining eligibility and issuing benefits to a particular participant.
- **Section 2204 of H.R. 6201, related to Administrative Requirements Waiver Under WIC** - These waivers allow for certain **food package substitutions**, as requested by the State or ITO, provided they are consistent with the nutritional basis of the foods normally provided within the food package and justified based upon the issue of low stock as a result of increased customer demand during COVID-19. For example, a state may have requested permission to substitute 18 count packages of eggs when 12 count packages are unavailable. Or to substitute 59oz containers of juice when 64 oz. container sizes are unavailable.
- FNS has approved **WIC medical documentation waivers** to the following states and Indian Tribal Organization (ITOs) listed below under **Section 2204 of H.R. 6201**, related to Administrative Requirements Waiver Under WIC. The waiver grants WIC staff additional time to obtain medical documentation for a current WIC participant, who has a qualifying medical condition and is being recertified for the same WIC benefits.
- **Section 2203 of H.R. 6201, related to physical presence waivers in the WIC program** - The approval to waive the physical presence requirement includes the ability to defer anthropometric and bloodwork requirements necessary to determine nutritional risk for the period the physical presence waiver is in effect.

Commodity Assistance Program and Emergency Food Assistance

The Families First Coronavirus Response Act provides **\$400 million** for the Commodity Assistance Program for the emergency food assistance program (TEFAP). TEFAP provides low-income Americans, including older Americans, with emergency food, often through distribution at local food banks.

USDA FNS has yet to provide any information regarding the implementation of these provisions and how much assistance Vermonters will receive. Further, the legislation states that “the

Secretary may use up to \$100 million for costs associated with the distribution of commodities” but it is unclear if food banks will have the authority to spend funding on distribution of commodities.

Automatic State Flexibilities: In the food distribution programs, states have flexibility to adjust for the types of commodities provided in The Emergency Food Assistance Program (TEFAP), and to provide deliveries to homes or other convenient pick-up points, or allow participants to have a trusted representative pick up their food packages from the Food Distribution Program on Indian Reservations (FDPIR) or the Commodity Supplemental Food Program (CSFP).

Additional USDA authority: In the food distribution programs, USDA can allow state flexibility to set TEFAP income eligibility, certification duration, method of certification, and residency requirements, and in major Presidential disaster declarations allowing individual assistance and certain other emergency situations, allow states to provide a household commodity distribution program without verification of residency or income.

USDA Foods stored at schools may also be available to feed families in need. More information can be found here: [Using USDA Food During a Human Pandemic Outbreak Options for Schools and Communities.](#)

The CARES Act provides an additional \$450 million for TEFAP, \$150 million of which may be used for distribution costs.

SNAP

The Families First Coronavirus Response Act suspends the work and working training requirements for SNAP during this crisis. It also allows states to request special waivers from USDA Secretary to provide temporary, emergency SNAP benefits up to the maximum monthly allotment. This would permit beneficiaries to stock up at the grocery store before any quarantine, and help deal with price increases for eligible food. *It does not increase SNAP benefits beyond current maximum levels for a household size.*

The USDA Secretary is also given broad discretion to provide much more flexibility for States in managing SNAP caseloads, including: more time between periodic reports; allowing more methods of issuance; and a simplified interview process. This gives States the tools they need to continue providing food to their communities under extreme circumstances.

The USDA Secretary is also required to make any State requests for waivers and the USDA response as well as any USDA guidance on State flexibilities publicly available online. This will help to ensure transparency for States and allow stakeholders to monitor the implementation of SNAP during the crisis.

The CARES Act increases funding for SNAP in order to meet growing demand. The bill includes \$15.5 billion in additional funding for SNAP but does not increase SNAP benefits beyond current maximum levels for a household size.

Senior Nutrition Programs

The Families First Act includes \$250 million for the Senior Nutrition program in the Administration for Community Living (ACL) to provide approximately 25 million additional home-delivered and pre-packaged meals to low-income seniors who depend on the Senior Nutrition programs in their communities. This funding will provide meals to low-income seniors.

The Act includes: \$160,000,000 for Home-Delivered Nutrition Services, \$80,000,000 for Congregate Nutrition Services, and \$10,000,000 for Nutrition Services for Native Americans. The Act waives the requirement for state match for the drawdown of these funds. Funds will be distributed through the regular process for federal senior meals programs.

The CARES Act allows 100% of the funding for congregate meal programs under the under the Older Americans Act to be used for the home-delivered meal program (Meals on Wheels). Clarifies that “homebound” includes those who are practicing social distancing. Waives nutrition requirements for OAA meal programs. It also provides \$955 million for the Administration on Community Living for nutrition programs and community based services, support for family caregivers, and expand oversight and protections for seniors and individuals with disabilities.

Child Nutrition and School Meal Programs

The Act includes several important waivers for school meals programs including:

- 1) The Act **waives the budget neutrality** requirement for changes in school meals programs. Program may apply for waiver and enact programmatic changes resulting in increased cost to the program.
- 2) The Act provides the USDA the authority to grant **nationwide waivers**. States may elect to be subject to the waiver without further application.

The Act grants the USDA the authority to allow **non-congregate feeding under the** Child and Adult Care Food Program.

The CARES Act Increases funding for child nutrition programs in order to meet growing demand.

Rural Feeding Partnership - USDA announced a collaboration to deliver nearly 1,000,000 meals to students in a limited number of rural schools closed due to COVID-19. You may read the public announcement [here](#). Schools districts interested in participating may find this [one page information sheet](#) helpful.

Child nutrition waivers granted to date:

- Summer Meals Non-congregate Feeding
- VT Summer Food Service Program (SFSP) serving meals at schools during unanticipated school closures
- CEP deadline pushed from April 1 to any time before June 30

- Meal Times
- Non-congregate Feeding
- Afterschool Activity
- Parent Pick-up (no student present)
- Flexibility for Meal Pattern Requirements
- Area-Eligibility requirement waiver - USDA FNS granted site area eligibility waivers to Vermont. This waiver removes the requirement that Summer Food Service Program (SFSP) and Seamless Summer Option (SSO) open sites must be located in areas where at least 50 percent of participants are eligible for free or reduced price meals. This waiver remains in effect until June 30, 2020, or until expiration of the federally declared public health emergency, whichever is earlier.

Waivers pending:

- Waiver related to the 60-day Claim Submission Deadline in the CACFP. Request for flexibility with late claim submissions beyond 60-day deadline.
- Waiver related to monitoring requirements of CACFP. Reducing monitoring requirements during COVID-19 to support social distancing.