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Food and Nutrition Service
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Attention: **RIN: 0584-AE40**

Re: Supplemental Nutrition Assistance Program: Implementation of the Agricultural Act of 2014 Purchasing and Delivery Services for the Elderly and Disabled

The National Association of States United for Aging and Disabilities (NASUAD) and our partner the National Foundation to End Senior Hunger (NFESH) respectfully submit the following comments in regards to the Proposed Rule, *"Supplemental Nutrition Assistance Program: Implementation of the Agricultural Act of 2014 Purchasing and Delivery Services for the Elderly and Disabled"* (RIN: 0584-AE40).

NASUAD represents the 56 officially designated state and territorial agencies on aging and disabilities. Each of our members oversees the implementation of the Older Americans Act (OAA) in their state, and many also serve as the operating agency in their state for Medicaid waivers that serve older adults and individuals with disabilities. Together with our members, we work to design, improve, and sustain state systems that deliver home and community based services and supports for people who are older or have a disability.

NASUAD and our membership are committed to ensuring that seniors and people with disabilities are able to access necessary food and nutritional supports. Through our partnership with the National Foundation to End Senior Hunger, we have established a Think Tank to specifically focus on research, policy, and practices that reduce the instance of hunger and food insecurity among seniors. Our recent research report, *"The State of Senior Hunger in America in 2013,"* found that seniors continue to face increasing challenges with hunger. A startling 9.6 million seniors faced the threat of hunger in 2013, or one in six seniors. From 2001 to 2013, the number of seniors experiencing the threat of hunger increased by 107%. Additionally, hunger is connected to poor oral health; diabetes; heart disease; and other chronic conditions. We believe that this is a serious issue that requires coordinated

efforts across a wide range of federal agencies, state governments, local entities, and community-based organizations.

NASUAD's emphasis on alleviating hunger and the risk of hunger aligns well with the policies within this regulation. We strongly support the goals and objectives of this proposal, as it provides additional options for older adults and people with disabilities to remain in their homes and to receive services and supports in the setting of their choice. The implementation of this regulation, as well as the 20 site demonstration program, will allow states to test and implement innovative ways to improve access to SNAP benefits among seniors and people with disabilities. Expanding access to home-delivered groceries aligns with the overall policy goals of improving community integration and reducing institutionalization within our nation's long-term services and supports (LTSS) system.

As the Food and Nutrition Service within USDA works to implement this regulation and the associated demonstration, we encourage the Department to consider the following recommendations:

State Flexibility

Home and community-based services vary across the country, and must be tailored to appropriately serve the unique social, economic, and geographic conditions that exist across the country. We believe that the regulation and subsequent implementation needs to provide state flexibility in order to ensure that the services are aligned with the unique needs of each geographic region. For example, we recommend that states should be permitted to establish their own definition of a person who is "unable to shop for food" contained in 7 CFR 274.7(i). This would allow states to take local considerations into account, including availability of transportation; location and proximity of retail food stores; whether the location is urban, rural, or frontier; and the underlying clinical level of care eligibility criteria for LTSS in the state.

Testing Innovative Delivery Mechanisms

NASUAD and NFESH believe that the 20-site demonstration should include a variety of governmental and nonprofit entities, and experiment with various types of geographic settings, including urban, rural, and frontier locations. As noted above, the nation's LTSS system varies across the country in

response to the unique needs of each community. We believe that ensuring a diversity of locations and delivery providers within the demonstration is necessary to appropriately test and assess various methods of promoting access to purchasing and delivery services, as well as to provide an appropriate laboratory for innovation. This will enable states to experiment with the best ways to reduce hunger and food insecurity across the country.

Delivery Fee Considerations

We understand that an adequate delivery fee, as defined in 7 CFR 278.2, is important to ensure that there is an adequate pool of providers for the service. However, we note that the households eligible for this service are likely to be very-low income, and the prohibition on using SNAP benefits to fund the delivery fee may lead to many individuals and families being unable to afford this service. Therefore, we strongly encourage USDA to evaluate different structures in the demonstration to determine the impact on access and utilization. Such structures could include:

- a) An income-based, sliding scale fee;
- b) A fee based upon the value of items delivered, with a maximum fee threshold (as currently proposed);
- c) A service where providers receive reimbursement for delivery from a separate source that is not the participant's income; or
- d) An alternate state-proposed and USDA approved method of reimbursing the provider for delivery.

The final regulation should take into consideration the results of these various structures, and should provide states with flexibility and options to design the delivery fee in a way that minimizes adverse impact on participants while ensuring that adequate providers exist to serve individuals.

NASUAD and NFESH appreciate USDA's efforts to increase the availability of SNAP-funded groceries in home and community-based settings. We look forward to working with the Department, the NASUAD membership, and local communities to implement the demonstration and to reduce food-insecurity across the country. Please feel free to contact Damon Terzaghi or

Nanette Relave of the NASUAD staff at (202) 898-2578 if you have any questions about these suggestions.

Regards,



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