



## DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

January 24, 2023

The Honorable Ben Barnes  
House Appropriations Committee  
Room 121 House Office Building  
Annapolis, Maryland 21401

### **RE: HB 87 - Supplemental Nutrition Assistance Programs - Waiver - Diapers and Menstrual Hygiene Products - Letter of Information**

Dear Chair Barnes and Committee Members:

The Maryland Department of Health (MDH) respectfully submits this letter of information for House Bill (HB) 87 - Supplemental Nutrition Assistance Programs - Waiver - Diapers and Menstrual Hygiene Products. HB 87 would require the Maryland Department of Human Services (DHS) to apply for a waiver to allow benefits under the Supplemental Nutrition Assistance Program (SNAP) or the Special Supplemental Nutrition Assistance Program for Women, Infants, and Children (WIC) to be used to purchase diapers or menstrual hygiene products, if the U.S. Department of Agriculture (USDA) makes the waiver available.

WIC funds, as currently authorized by the USDA, are intended to provide supplemental foods and nutrition education, including breastfeeding promotion and support. Currently, the purchase of diapers and menstrual hygiene products using WIC funds are not authorized by the USDA. We note that diapers and baby products were exempted from Maryland sales tax last year. Authorized food products can be purchased via electronic benefit cards redeemed at retail stores. To implement any future waiver, we would need additional USDA guidance.

MDH would be happy to partner with DHS in the future to take advantage of any policy changes to benefit Marylanders served by the WIC program. We are open to continuing conversations about this bill with the bill sponsor.

If you would like further information please contact Megan Peters, Acting Director, Office of Governmental Affairs, at 410-260-3190 or [megan.peters@maryland.gov](mailto:megan.peters@maryland.gov).

Sincerely,

Laura Herrera Scott, M.D., M.P.H.  
Secretary