

# **SB 52 - Maryland Food Bank - SUPPORT.pdf**

Uploaded by: Anne Wallerstedt

Position: FAV

## **Senate Bill 52**

### **Supplemental Nutrition Assistance Programs – Waiver – Diapers and Menstrual Hygiene Products Senate Finance Committee February 2, 2023**

#### **SUPPORT**

Senate Bill 52 requires the Department of Human Services to apply for a waiver allowing for diapers and menstrual hygiene products to be purchased with Supplemental Nutrition Assistance Program (SNAP) or Special Supplemental Nutrition Assistance Program for Women, Infants, and Children (WIC) benefits, should such a waiver be made available from the U.S. Department of Agriculture.

The Maryland Food Bank estimates that 1 in 3 Marylanders are at risk of facing food insecurity. Food insecurity means a lack of consistent access to healthy and nutritious food on any given day. Some communities and populations are at a higher risk of food insecurity, including families with children. There are food insecure Marylanders in every corner of the state.

Marylanders and their families are being financially squeezed by an affordability crisis for basic household necessities, including food. 30% of Maryland households are currently reporting difficulties affording their usual household expenses, and a troubling 93% of Maryland adults are struggling to cope with all of these price increases. Coupled with the ending of pandemic-era Emergency Allotments, which maxed out SNAP benefits based on household size, Maryland families are truly struggling to get by day-by-day. The Maryland Food Bank does not anticipate this will meaningfully change in the near future, especially for food insecure Marylanders who rely on food assistance benefits such as SNAP to feed themselves and their families.

Any public financial assistance that can be used to ease the burden of rising costs for any household essentials including diapers and menstrual hygiene products should be sought by the state. SB 52 will directly help struggling Maryland families purchase household necessities that are currently left out of assistance programs such as SNAP and WIC. Having to prioritize what to buy for your family is an impossible decision, yet one that too many Marylanders have to make every day. SB 52 is a simple and cost-effective way for the state to help alleviate this burden.

For these reasons, the Maryland Food Bank respectfully requests a favorable report on SB 52.

**Maryland Catholic Conference\_FAV\_SB0052.pdf**

Uploaded by: Brian Barnwell

Position: FAV



MARYLAND  
CATHOLIC  
CONFERENCE

**February 2, 2023**

**SB0052**

**Supplemental Nutrition Assistance Programs - Waiver - Diapers and Menstrual  
Hygiene Products  
Senate Finance Committee**

**Position: Favorable**

The Maryland Catholic Conference represents the public policy interests of the three Roman Catholic (arch)dioceses serving Maryland: the Archdiocese of Baltimore, the Archdiocese of Washington, and the Diocese of Wilmington, which together encompass over one million Marylanders.

**Senate Bill 0052** requires the Department of Human Services to apply for a waiver to allow benefits under the Supplemental Nutrition Assistance Program or the Special Supplemental Nutrition Assistance Program for Women, Infants, and Children to be used to purchase diapers or menstrual hygiene products, if the U.S. Department of Agriculture makes the waiver available.

SB 0052 will require the Department of Human Services to apply for a waiver to allow benefits under the Supplemental Nutrition Assistance Program, or the Special Supplemental Nutrition Assistance Program for Women, Infant, and Children to be used to purchase diapers or menstrual hygiene products, if the United States Department of Agriculture makes the waiver available. This bill is vital to parents who cannot afford the rising cost of diapers or menstrual hygiene products. In the State of Maryland, one-quarter of babies and toddlers live in low-income families. Diapers are expensive, costing the average family over \$80 per month, and for single parent households, infant care costs approximately 40% of household income. Currently, diapers and feminine hygiene products are not covered by SNAP or WIC, leaving many families unable to afford these essential items out of pocket. We must help those in need any way we can, and this bill goes directly to accomplishing this goal.

The Catholic Conference works to support efforts that are life-affirming. If implemented, this bill will greatly help those families in need. No mom or dad should ever have to worry about having a diaper for their baby or toddler. This bill will help protect the health and safety of families.

For these reasons, the Maryland Catholic Conference asks for a favorable report on **SB 0052**.  
Thank you for your consideration.

# **SB52\_SNAPProducts\_KennedyKrieger\_Support.pdf**

Uploaded by: Emily Arneson

Position: FAV



**DATE:** February 2, 2023

**COMMITTEE:** Finance

**BILL NO:** Senate Bill 52

**BILL TITLE:** Supplemental Nutrition Assistance Programs – Waiver – Diapers and Menstrual Hygiene Products

**POSITION:** Support

**Kennedy Krieger Institute supports Senate Bill 52 - Supplemental Nutrition Assistance Programs – Waiver – Diapers and Menstrual Hygiene Products**

**Bill Summary:**

SB 52 would require the Department of Human Services to apply for a waiver to allow benefits under the Supplemental Nutrition Assistance Program or the Special Supplemental Nutrition Assistance Program for Women, Infants, and Children to be used to purchase diapers or menstrual hygiene products, if the U.S. Department of Agriculture makes the waiver available.

**Background:**

Kennedy Krieger Institute is dedicated to improving the lives of children and young adults with developmental, behavioral, cognitive, and physical challenges. Kennedy Krieger’s services include inpatient, outpatient, school-based, and community-based programs. Over 27,000 individuals receive services annually at Kennedy Krieger.

The vision for the newly established Office for Health Equity Inclusion and Diversity (O-HEID) at Kennedy Krieger Institute is to promote the health and well-being of those who work and receive training and services at Kennedy Krieger Institute. The O-HEID uses evidence, culturally relevant, and equity-based approaches that assures diversity and inclusion. The O-HEID is working to establish collaboration, data, and metrics to address remediable disparities within our patient populations, policies, and practices.

**Rationale:**

Access to diapers and menstrual products is a critical facet to ensuring the health and well-being of women and children, which are inextricably linked.

One study of low income women found that about two-thirds (64%) were unable to afford needed menstrual products during the previous year and nearly half of women (46%) could not afford to buy both food and menstrual hygiene products during the past year.<sup>1</sup> Indeed, the lifetime cost of menstrual products for women is about \$18,000,<sup>2</sup> while diapers are estimated to cost upwards of \$1,800 in two years for one child.<sup>3</sup>

Women from vulnerable backgrounds, such as those experiencing homelessness, have particularly difficulty with accessing menstrual products<sup>4</sup> and menstrual product insecurity has increased since the COVID-19 pandemic due to income loss<sup>5</sup>. The pandemic has also increased levels of diaper need which adversely affects parent stress<sup>6</sup> and only a small amount of low-income families have been found to be able to access diapers through existing community resources or diaper banks.<sup>7</sup>

Access to hygiene products for women and children are especially important in light of the pay gaps for women in Maryland (86 cents to every dollar that men earn)<sup>8</sup>, which is further exacerbated for women of color with Black women earning 69 cents and Hispanic/Latina women earning 47 cents for every dollar paid to white men, respectively<sup>9</sup>. Additionally, people of color are disproportionately affected by lack of access to hygiene products. For example, families living in low income areas who had less access to diapers in their community were more

likely to identify as Black or African American, face challenges affording housing costs, have homes or automobiles in need of repair, experience neighborhood violence, and have less educational attainment.<sup>10</sup>

As such, providing hygiene products via federal government programs is an important way to support health equity among women and families with young children in Maryland.

### **Kennedy Krieger Institute requests a favorable report on Senate Bill 52.**

#### **References**

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# **SB 52 Menstrual and Diaper Products Access (1).pdf**

Uploaded by: Essita Duncan

Position: FAV



www.marylandwomen.org

# Maryland Commission for Women

A Commission of the Maryland Department of Human Services

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January 20, 2023

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The Honorable Melony Griffith, Chair  
The Honorable Katherine Klausmeier, Vice Chair  
Senate Finance Committee  
Miller Senate Office Building, 3 East  
11 Bladen St., Annapolis, MD 21401 – 1991

## **Re: SB0052 – Supplemental Nutrition Assistance Programs – Waiver – Diapers and Menstrual Hygiene Products**

Dear Sen. Griffith, Sen. Klausmeier and Members of the Senate Finance Committee:

The Maryland Commission for Women (MCW) urges your support of SB0052 which will allow recipients of Maryland's Supplemental Nutrition Assistance Program or the Special Supplemental Nutrition Assistance Program for Women, Infants, and Children to use benefits to purchase diapers or menstrual hygiene products.

The MCW was established in 1965 and was set in state law in 1971. An office of the Department of Human Services, the Commission is a 25-member advisory board whose duties outlined in its enabling legislation include: study the status of women in our state, recommend methods of overcoming discrimination, recognize women's accomplishments and contributions, and provide informed advice to the executive and legislative branches of government on the issues concerning the women of our state. It is to fulfill this mandate that the Commission writes to you today.

Low-income women and girls of all ages struggle to afford menstrual hygiene products and diapers. Currently, neither the Maryland Supplemental Nutrition Assistance Program nor the Special Supplemental Nutrition Assistance Program for Women, Infants, and Children allow their benefits to be used for the purchase of feminine hygiene products or diapers. While Maryland already exempts menstrual feminine hygiene products and diapers from sales tax, adopting Senate Bill 0052 is the next step to ensuring these essential items are affordable to all Maryland's women and girls.

Senate Bill 0052 will require Maryland's Department of Human Services to apply for a waiver to allow benefits to be used to purchase diapers or menstrual hygiene products.

We strongly urge your support of SB0052.

With very best regards,

A handwritten signature in black ink, appearing to read "Tawanda A. Bailey". The signature is fluid and cursive, with the first name being the most prominent.

Tawanda A. Bailey, Chair  
Maryland Commission for Women

*(The positions expressed in this letter are those of the Commission for Women and do not necessarily reflect the position of the Governor or the Department of Human Services.)*

# **WDC Testimony 2023\_SB52\_Final.pdf**

Uploaded by: JoAnne Koravos

Position: FAV



MONTGOMERY COUNTY, MARYLAND  
WOMEN'S DEMOCRATIC CLUB

P.O. Box 34047, Bethesda, MD 20827

[www.womensdemocraticclub.org](http://www.womensdemocraticclub.org)

**Senate Bill 52 - Supplemental Nutrition Assistance Programs – Waiver – Diapers and Menstrual Hygiene Products  
Finance Committee – February 2, 2023  
SUPPORT**

Thank you for this opportunity to submit written testimony concerning an important priority of the **Montgomery County Women's Democratic Club (WDC)** for the 2023 legislative session. WDC is one of the largest and most active Democratic clubs in our county with hundreds of politically active members, including many elected officials.

**WDC urges the passage of SB0052.** We need to address *diaper need* and *period poverty* in the state of Maryland. Existing social programs do not adequately address the diaper and menstrual product needs of mothers/caregivers and menstruating women. This bill proposes a commonsense solution to this persistent problem by requiring Maryland Department of Human Services to apply for any waiver made available by the USDA to allow SNAP and/or WIC recipients to use their benefits for menstrual products and diapers. More importantly, if the waiver is granted, the bill requires DHS to be responsible for implementation.

**Period Poverty.** Period poverty is the lack of access to affordable menstrual products. When we think of poverty, food insecurity and homelessness are at the top of mind. However, for women and girls, inability to afford hygienic menstrual products is a reality and impacts other aspects of their lives. They are often embarrassed, and in some cultures ashamed, to discuss their menstrual cycles. Lack of access to menstrual products can impact a girl's education, largely due to poverty, but stigma is also a factor. When a girl misses school because of her period, we are not prioritizing her education. When a working mother misses work because she can't afford her menstrual products, this compounds the poverty and ultimately the needs of her family.<sup>1</sup> According to the Maryland State Fact Sheet on Period Poverty, there are 1,297,986 women and girls between the ages 12 to 44 in the state. Of those, 1 in 8 lives below the Federal Poverty Level (FPL).

**Diaper Need.** Diaper need is the lack of a sufficient supply of diapers to keep an infant or child clean, dry, and healthy. According to the National Diaper Bank Network, babies without clean diapers are exposed to more potential health risks & less likely accepted to daycares, leaving parents unable to attend work. According to the National Diaper Bank Network one in three families struggles to provide clean diapers for their baby. Furthermore, diapers are essential to the well-being of Maryland families. In Maryland, 72% of mothers with infants are in the workforce and most daycare facilities require parents to provide diapers for their child. In Maryland 16% of children under age 18 are infants and toddlers and 12% of those live in families earning less than 100% of FPL.

**We ask for your support for SB0052 and strongly urge a favorable Committee report.**

Diana E. Conway  
WDC President

JoAnne Koravos  
WDC Vice President Advocacy

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<sup>1</sup> [Period Poverty. The Belittling of a Basic Need](https://ppoverty.org/period-poverty-the-belittling-of-a-basic-need/?gclid=Cj0KCQjAijSeBhCCARIsAHnAzT_V9vl-Gdffbw80FMEnGYpZmYtENbADgT2QpdQEAdFyWkuXcwQysVkaAjzdEALw_wcB) (October 20, 2022). [https://ppoverty.org/period-poverty-the-belittling-of-a-basic-need/?gclid=Cj0KCQjAijSeBhCCARIsAHnAzT\\_V9vl-Gdffbw80FMEnGYpZmYtENbADgT2QpdQEAdFyWkuXcwQysVkaAjzdEALw\\_wcB](https://ppoverty.org/period-poverty-the-belittling-of-a-basic-need/?gclid=Cj0KCQjAijSeBhCCARIsAHnAzT_V9vl-Gdffbw80FMEnGYpZmYtENbADgT2QpdQEAdFyWkuXcwQysVkaAjzdEALw_wcB)

**BaltimoreCounty\_FAV\_SB0052.pdf**

Uploaded by: Joshua Greenberg

Position: FAV



JOHN A. OLSZEWSKI, JR.  
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JOSHUA M. GREENBERG  
*Associate Director of Government Affairs*

**BILL NO.:** SB 52

**TITLE:** Supplemental Nutrition Assistance Programs – Waiver – Diapers and Menstrual Hygiene Products

**SPONSOR:** Senator Elfreth

**COMMITTEE:** Finance

**POSITION:** **SUPPORT**

**DATE:** February 2, 2023

Baltimore County **SUPPORTS** Senate Bill 52 – Supplemental Nutrition Assistance Programs – Waiver – Diapers and Menstrual Hygiene Products. This legislation requires the Department of Human Services to apply for a waiver to allow benefits under certain programs to be used to purchase diapers and menstrual products.

Inflation has only added to the costs borne by low-income Maryland residents who already struggle to make their paychecks cover their own personal expenses. Individuals who require menstrual hygiene/childcare products feel these effects more acutely, as their standard cost of living remains higher and has increased sharply due to the inflationary effects of the pandemic. The Supplemental Nutrition Assistance Program (SNAP) and the Special Supplemental Nutrition Assistance Program for Women, Infants, and Children (WIC) provides financial benefits to low-income residents who cannot cover their basic needs, however, essential healthcare items are excluded from list of products that benefits may be used for.

Senate Bill 52 would require the Department of Human Services to apply for a waiver to allow benefits under the SNAP and WIC programs to be used to purchase diapers and menstrual hygiene products. This would assist low-income residents throughout the State of Maryland in affording the critical healthcare products they need. SB 52 is more important than ever as the State continues to recover from the economic impact of the COVID-19 pandemic and help low-income residents get back on their feet.

Accordingly, Baltimore County requests a **FAVORABLE** report on SB 52. For more information, please contact Jenn Aiosa, Director of Government Affairs at [jaiosa@baltimorecountymd.gov](mailto:jaiosa@baltimorecountymd.gov).

**SB 52\_MD Center on Economic Policy\_FAV.pdf**

Uploaded by: Kali Schumitz

Position: FAV



# Allowing diapers and menstrual products to be purchased through SNAP and WIC would provide relief to struggling Marylanders

*Position Statement Supporting Senate Bill 52*

## Given before the Senate Finance Committee

In a time of high inflation and economic uncertainty, allowing Marylanders to use their Supplemental Nutrition Assistance Program (SNAP) and Supplemental Nutrition Assistance Program for Women, Infants, and Children (WIC) benefits to purchase diapers or menstrual hygiene products would have a lasting impact on the lives of many struggling Marylanders. This would provide economic relief for low-income Marylanders struggling to keep up with rising inflation and the already high cost of essentials such as diapers and menstrual products. For these reasons, **the Maryland Center on Economic Policy supports Senate Bill 52.**

Even with the help of safety net programs like SNAP and WIC, too many Marylanders struggle to afford basic needs. Period poverty, a term used to describe a person's inability to afford or access menstrual products to be healthy, increased by 35% between 2018 and 2021 according to a study by U by Kotex®.<sup>i</sup> Two in five people in the U.S. struggled to purchase menstrual products due to a lack of income, and many report that the COVID-19 pandemic made it harder to access such products. In turn, this struggle can disrupt a person's life such that they have to be absent from school or work, and can also impact their physical, mental and emotional health.<sup>ii</sup> Although Maryland does not impose a tax on period supplies, SNAP and WIC recipients already demonstrate financial need due to their low-income status and would greatly benefit from expanding the type of products they can purchase with their existing benefits.

In addition to their continuous use, diapers also pose a substantial expense for families. Nationwide and on average, parents spend \$100 a month on diapers per child.<sup>iii</sup> Diaper need, or the struggle to afford sufficient diapers for children to be clean and healthy, poses significant issues for parents:

- Parents are often expected to provide diapers to their childcare providers, leading some of them to stay at home with their child due to their inability to provide them.
- Families may ration diapers and delay diaper changes, resulting in rashes or urinary tract infections for children among other physical concerns.
- Parents are forced to choose between basic necessities and may forego spending their income on essentials for themselves to be able to provide diapers for their children .

Although some mothers report accessing diapers through shelters and community resources such as diaper banks to supplement their purchases, they should be able to have a reliable source of supply.<sup>iv</sup> It is especially important that parents have the support to provide stability for their children given that 15.2% of Maryland children under the age of five lived below the poverty level in 2021 (\$26,500 for a family of four).<sup>v</sup> Research also shows that ensuring families have an adequate supply of diapers helps children sleep better and thus helps produce favorable developmental outcomes.<sup>vi</sup>

It does not help that the prices of both diapers and menstrual hygiene products has risen. Reports show that the cost of diapers have increased by 22% since 2018,<sup>vii</sup> and some menstrual products were up by 10% as of mid-year 2022.<sup>viii</sup> While these numbers can be attributed, in part, to supply-chain issues caused by the COVID-19 pandemic, the issue of rapidly rising material goods is showing no signs of dissipating. Allowing SNAP and WIC recipients to purchase basic essentials such as diapers and menstrual products through their benefits is necessary to account for these rapid changes, so that Marylanders can live and meet their bio-psycho-social needs.

Senate Bill 52 is an important step in helping more low-income families afford necessary products. If the U.S. Department of Agriculture approves the waiver for SNAP and WIC recipients to purchase diapers and menstrual products, the Maryland Department of Human Services should apply for such waiver that will create more economic security for these families in need.

**For these reasons, the Maryland Center on Economic Policy respectfully requests that the Finance Committee give a favorable report to Senate Bill 52.**

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## **Equity Impact Analysis: Senate Bill 52**

### *Bill summary*

Senate Bill 52 requires the Maryland Department of Human Services to apply for a waiver that, if approved by the U.S. Department of Agriculture, will allow Supplemental Nutrition Assistance Program (SNAP) and Supplemental Nutrition Assistance Program for Women, Infants, and Children (WIC) recipients to purchase diapers and menstrual hygiene products with their benefits.

### *Background*

Diapers and menstrual hygiene products are deemed as nonessential yet this is far from the truth. The reality is that both diaper and period products are needed frequently by millions of families with young children and people who menstruate. This constant need for such supplies places a financial burden on low-income families who often have to carefully budget to meet their basic necessities, and even then, some families are unable to afford or access these products. With the rising cost of living and inflation driving the increase of prices for material goods, it is likely that many families will continue to struggle in the foreseeable future.

The inability to afford diapers for children or to access menstrual products pose significant alterations in the lives of many individuals and families. From threatening job security to impacting physical health, diaper need and period poverty should be strongly taken into consideration as a problem that needs to be solved with quick and

smart policy changes. Applying for the waiver that might enable SNAP and WIC recipients to purchase diapers and menstrual hygiene products would greatly benefit Marylanders.

### *Equity Implications*

Policies in the past have led to a system of unequal opportunities for marginalized groups within Maryland. Although the most obvious racially discriminatory policies have long been overturned or mitigated, the impact of these policies continue to persist in both society and public policy and have led to significant racial and health disparities. People of color experience much higher rates of economic insecurity and poverty and are more likely to use SNAP and WIC or other economic relief programs to afford basic necessities. In particular, single-parent households, women, and children of color are overrepresented among families living in poverty. Period poverty and diaper need are also disproportionately experienced by Black and Latinx people.

Research shows that increasing economic security for households through programs like SNAP and WIC can help reduce overall poverty, child poverty, and racial and ethnic inequities. Authorizing families to purchase diapers and menstrual hygiene products through their SNAP and WIC benefits will enable this program to better meet participants' needs. Ensuring people can meet their basic needs strengthens our economy and can dismantle the economic barriers that too often hold back Marylanders of color.

### *Impact*

Senate Bill 52 would likely **improve racial and economic equity** in Maryland.

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- <sup>i</sup> “New Study by U by Kotex® shows 35% Increase in Period Poverty Since 2018,” <https://www.prnewswire.com/news-releases/new-study-by-u-by-kotex-shows-35-increase-in-period-poverty-since-2018-301297210.html>
- <sup>ii</sup> “End Diaper Need and Period Poverty: Families Need Cash Assistance to Meet Basic Needs,” <https://www.cbpp.org/research/family-income-support/end-diaper-need-and-period-poverty-families-need-cash-assistance-to>
- <sup>iii</sup> “Diaper Dilemma: Low Income Families Face High Costs and Limited Supplies of an Essential Good,” Institute for Research on Poverty, 2022, <https://www.irp.wisc.edu/resource/diaper-dilemma-low-income-families-face-high-costs-and-limited-supplies-of-an-essential-good/>
- <sup>iv</sup> Marti-Castaner, M., Pavlenko, T., Engel, R., Sanchez, K., Crawford A.E., Brroks-Gunn, J., & Wimer, C. (2022). Poverty after birth: How mothers experience and navigate U.S. safety net programs to address family needs. *Journal of Child and Family Studies*, 31, 2248–2265. <https://doi-org.proxy.lib.umich.edu/10.1007/s10826-022-02322-0>
- <sup>v</sup> Source: Census Bureau, American Community Survey data 1-year estimates from 2021
- <sup>vi</sup> Shaffer, E., Porter, S., Condon, E., Zha, P., & Caldwell, B.A. (2022). Associations between diaper need and child sleep in under-resourced families. *Journal of Developmental & Behavioral Pediatrics*, 43 (7), 402-408. doi:10.1097/DBP.0000000000001088
- <sup>vii</sup> “Diaper Dilemma: Low Income Families Face High Costs and Limited Supplies of an Essential Good,” Institute for Research on Poverty, 2022, <https://www.irp.wisc.edu/resource/diaper-dilemma-low-income-families-face-high-costs-and-limited-supplies-of-an-essential-good/>
- <sup>viii</sup> “It’s getting more expensive to have your period, thanks to inflation,” <https://www.bloomberg.com/news/articles/2022-06-09/inflation-is-pushing-tampon-prices-up-10>

**SB 52 - RJI Favorable SNAP.pdf**

Uploaded by: Kimberly Haven

Position: FAV



**REPRODUCTIVE  
JUSTICE INSIDE**

## REPRODUCTIVE JUSTICE INSIDE

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February 1, 2023

Chair Griffith

Vice Chair Klausmeier

Members of the Senate Finance Committee

RE: SB 52 - Supplemental Nutrition Assistance Programs - Waiver - Diapers and Menstrual Hygiene Products

**POSITION: FAVORABLE**

Members of the Senate Finance Committee,

My name is Kimberly Haven, and I am the Executive Director of Reproductive Justice Inside. We are the only organization in the country that focuses our work to address the needs of systems-involved individuals seeking quality and timely sexual and reproductive healthcare. Our mission is to support and protect, as a fundamental right and value, reproductive freedom for the entire reproductive lifespan of incarcerated individuals and to address the conditions of confinement where systems-involved individuals are not in complete control of their reproductive futures and freedom.

We offer this testimony in support of SB 52 – While we recognize that there is currently no waiver under SNAP or WIC that allows for the purchase of diapers or menstrual hygiene products using program benefits, when such a waiver is granted, the ability for individuals to then be able to purchase these products will have a profound impact particularly in low-income communities.

The ability to purchase these necessary and vital items currently pose a strain to family budgets. We know that infants will go through diapers approximately 8,000 diaper changes before potty training. Infants need diapers – plain and simple.

Menstruating individuals can go through as many 16,000 products during their lifetime. They are very often having to choose between food for their families and a necessary hygiene item – this often translates to missed work and school because of the inability to buy these products.

While the bill itself does not change the amount of benefits that are available it will provide a means for individuals to meet the needs of their infants and their bodies. This bill then is critical to parents who cannot afford the costs.

For these reasons, Reproductive Justice Insides requests a favorable vote on SB 52.

Respectfully submitted.

# Montgomery County Community Action Board Testimony

Uploaded by: Leslie Frey

Position: FAV



**Montgomery County Community Action Board Testimony in Support of SB52  
Supplemental Nutrition Assistance Programs - Waiver - Diapers and Menstrual Hygiene Products  
February 2, 2023**

TO: The Honorable Melony Griffith, Chair; The Honorable Katherine Klausmeier, Vice Chair; and  
Members of the Finance Committee

FROM: Dr. Jeffery Johnson, Chair, Montgomery County Community Action Board

The Montgomery County Community Action Board, the County's federally designated anti-poverty group, strongly supports SB52 and asks the Committee for a favorable report. This bill, which would require the state to apply for a waiver from the Department of Agriculture, if given the opportunity, that would allow SNAP recipients to use their benefits to purchase diapers and feminine hygiene products, addresses an ongoing and sometimes overlooked need. Access to these necessary products, which are not covered by any other public benefits programs, remains a challenge for too many of our neighbors. These products can be very expensive and place a tremendous burden on lower-income households. Historically, our board, along with the Maryland Community Action Partnership, has recognized the importance of access to these products.

According to the Center on Budget and Policy Priorities:

- Families may keep diapers on for too long or empty solids and reuse disposable diapers, resulting in rashes, urinary tract infections, or worse.
- Diapers, which cost nearly \$100 per month per child, can be a serious burden for parents with low earnings and those who are out of work or unable to work.
- Many child care providers require parents to provide diapers each day. At one diaper bank, 56% of parents who needed child care to go to work reported missing work because they lacked diapers.<sup>1</sup>

To address this need, last year, the Maryland Community Action Partnership applied for a federal Department of Health and Human Services grant to support diaper distribution at Community Action Agencies in the state. Our board, along with the Maryland and DC Diaper Banks, supported this grant application. Unfortunately, the grant was not funded, and this need remains great throughout Maryland.

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<sup>1</sup> <https://www.cbpp.org/research/family-income-support/end-diaper-need-and-period-poverty-families-need-cash-assistance-to>

Similar to the need for diapers and diapering supplies, many women face challenges paying for feminine hygiene products, something referred to as “period poverty”. A survey of 2,000 women (aged 18–55) found that 49% have faced a lack of access to sanitary products, menstrual hygiene education, toilets, hand washing facilities and/or waste management. Sixty percent of respondents admitted to budgeting in order to afford sanitary items and 79% made sacrifices or gone with less in order to afford their necessities.<sup>2</sup>

Lower-income residents face many challenges purchasing these products, especially in an area like Montgomery County, and many other parts of the state, where the cost of living is very high. The Self-Sufficiency Standard, which measures the income required to meet basic needs at a minimally adequate level, for a single adult with an infant is an astounding \$94,675 in Montgomery County, nearly five times the federal poverty level.<sup>3</sup>

This bill takes a step in the right direction towards addressing some very important unmet needs. We strongly encourage the Committee to support SB52.

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<sup>2</sup> <https://www.census.gov/programs-surveys/acs>

<sup>3</sup> <https://maryland-cap.org/the-maryland-2023-self-sufficiency-standard-calculator/>



**WA- SB 52 - SNAPWIC Waiver - FAV.pdf**

Uploaded by: Lisa Klingenmaier

Position: FAV



# Welfare Advocates

Founded 1979

228 W. Lexington Street — Suite 220 • Baltimore, Maryland 21201-3432  
Phone: 410.261.5874 • Fax: 410.889.0203

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## Senate Bill 52 Supplemental Nutrition Assistance Programs – Waiver – Diapers and Menstrual Hygiene Products

Senate Finance Committee  
February 2, 2023

### Support

*Welfare Advocates is a statewide coalition of social service organizations, advocacy groups, faith communities, and community members, whose mission it is to educate about and advocate for an adequate safety net and public policies that support families moving towards economic stability.*

**Welfare Advocates supports SB 52**, which requires the Department of Human Services to apply for a federal waiver that allows Marylanders who receive the Supplemental Nutrition Assistance Program (SNAP) or Supplemental Nutrition Assistance Program for Woman, Infants and Children (WIC) to use their benefits to purchase diapers and menstrual products.

**Diapers and menstrual products are a necessary expense for families, and are a substantial cost burden for low-income families.** The average cost of an adequate supply of diapers is \$75-\$100 per month, per child.<sup>1</sup> Children need a sufficient supply of diapers to be dry, clean and healthy, and without that, children are more susceptible to infections, rashes, and illnesses.<sup>2</sup> According to the National Diaper Bank Network, diapers banks across the United States have seen a sharp rise in demand, with some diaper banks seeing a 500% increase in people seeking diapers.<sup>3</sup> Menstrual products are another necessary expense for families, and the cost of products are unattainable for many low-income households. On average, families can spend anywhere between \$5 and \$10 for a box of tampons and pads, or significantly more for durable products like menstrual cups. Given that menstruating individuals have approximately 12-13 menstrual cycles a year, the cost of menstrual products quickly adds up in a tight budget.

**Diaper and menstrual product need disproportionately harms low-income women and families of color.** Diaper need makes it difficult for women to re-enter the workforce, as child care providers require parents to bring with them an adequate supply of diapers. Consequently, diaper need has been identified as a reason that parents may not attend work or school.<sup>4</sup> Moreover, a body of research demonstrates that –due to the stresses of living in poverty – low-income children often start puberty earlier than their peers, and students of color menstruate earlier than their white peers.<sup>5</sup> Tragically, many low-income individuals use menstrual products for excessive periods of time to stretch their supply, increasing risk for deadly conditions like toxic shock syndrome.

**Building flexibility in SNAP and WIC to purchase diapers and menstrual products will increase the health, safety, and security of low-income families.** Diapers and menstrual products are rarely available at shelters and food banks, so allowing families to purchase diapers and menstrual products with SNAP and WIC increases a family's self-determination to leverage the resources they have to meet their needs.

**WA appreciates your consideration, and respectfully urges a favorable report on SB 52.**

Submitted by Lisa Klingenmaier, *Chair of Welfare Advocates*

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<sup>1</sup> Diaper Need and Its Impact on US Families. 2019. <https://nationaldiaperbanknetwork.org/wp-content/uploads/2019/02/Diaper-Need-and-Its-Impact-on-US-Families.pdf>

<sup>2</sup> Diaper Need. 2019.

<sup>3</sup> CBS News. 2021. <https://www.cbsnews.com/news/diaper-prices-going-up-pandemic/>

<sup>4</sup> Ibid.

<sup>5</sup> Psychological Bulletin. (2004). *Timing of Pubertal Maturation in Girls: An Integrated Life Approach.* <https://psycnet.apa.org/record/2004-20177-005>

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# **SB0052\_Diapers and Menstrual Products, Sales Tax E**

Uploaded by: Liz Enagonio

Position: FAV



# Indivisible: Central Maryland

**Susan Radke, Lead Advocate**

[Dsusan56@gmail.com](mailto:Dsusan56@gmail.com)

**Liz Enagonio, Lead Advocate**

[lenagonio@icloud.com](mailto:lenagonio@icloud.com)

## TESTIMONY FOR SB0052

### **Supplemental Nutrition Assistance Programs – Waiver – Diapers and Menstrual Hygiene Products**

**Bill Sponsors:** Senators Elfreth

**Committee:** Finance

**Organization Submitting:** Indivisible Central Maryland

**Person Submitting:** Liz Enagonio, Lead Advocate

**Position:** FAVORABLE

My name is Liz Enagonio, representing both myself and Indivisible Central Maryland, a grassroots organization of constituents dedicated to protecting progressive and democratic values. **Indivisible Central Maryland strongly supports SB0052**, Supplemental Nutrition Assistance Programs – Waiver – Diapers and Menstrual Hygiene Products.

According to The National Diaper Bank, one in three children experience lack of access to adequate diapers. The burden is felt most deeply by low-income families, who often require assistance from charity diaper banks. If a diaper bank is not accessible, the caregivers may be forced to change the child's diaper less often. This can have an array of negative consequences, including diaper rash, and urinary tract or genital infections.

According to the United States National Fact Sheet on Period Poverty, published by the Alliance for Period Supplies, almost 151,000 women and girls between ages 12-44 in Maryland live below the Federal Poverty Line, and struggle to keep up with bills and meet their basic expenses. Although programs such as SNAP are lifelines for helping meet food needs, women often struggle to meet other basic needs, including menstrual supplies. On a national level, one in four girls has missed class due to lack of access to period supplies.

The fact that the USDA is considering a waiver to allow benefits under SNAP or the Special SNAP programs to be used to purchase diapers and menstrual products points to the seriousness of the problem of period and diaper poverty. Indivisible Central Maryland **strongly supports SB0052**, which would require the Maryland Department of Human Services to apply for the waiver if it is implemented by USDA. Thank you.

Liz Enagonio, Lead Advocate, on behalf of Indivisible Central Maryland

# **SB52 SNAP 2023 Leg .docx - Google Docs.pdf**

Uploaded by: MD Chesapeake NAPNAP

Position: FAV

**Support: SB 52 - Supplemental Nutrition Assistance Programs – Waiver – Diapers and Menstrual Hygiene Products**

1/28/2023

Maryland Senate  
Finance Committee  
3 East  
Miller Senate Office Building  
Annapolis, Maryland 21401

Dear Chair, Vice-Chair and Members of the Committee:

On behalf of the pediatric nurse practitioners (PNPs) and fellow pediatric-focused advanced practice registered nurses (APRNs) of the National Association of Pediatric Nurse Practitioners (NAPNAP) Chesapeake Chapter, I am writing to express our support of **SB 52 Supplemental Nutrition Assistance Programs – Waiver – Diapers and Menstrual Hygiene Products** because Diapers and menstrual hygiene products are a necessity.

This legislation would ensure that Supplemental Nutrition Assistance Program or the Special Supplemental Nutrition Program for Women, Infants, and Children recipients would be able to use to use their benefits to purchase diapers or menstrual hygiene products such as tampons, sanitary napkins, and feminine wipes. We understand that the bill is complex and the bill would allow Maryland to apply for a waiver from the U.S. Agriculture Department, which would allow people in Maryland to use SNAP and other benefits for those products. Providing the USDA approves the waiver and this bill passes, then the benefits can be used toward the products.

Even before the COVID-19 pandemic, one in three US families with young children struggled to afford enough diapers to keep their child clean, dry, and healthy. According to the [National Diaper Bank Network](#), families can expect about 12 diaper changes each day for infants and 8 for toddlers, adding up to \$70 or \$80 per child each month. Without enough diapers each day, infants and toddlers are at risk of skin infections, open sores, urinary tract infections, and other conditions that may require medical attention. Additionally, almost all childcare providers require parents to provide a daily supply of disposable diapers to care for a child. Without diapers, parents cannot go to work or school and lose income and the opportunity to succeed.

In regards to menstrual hygiene products, pads and tampons are expensive. Per the National Organization of Women the average woman spends about \$20 on feminine hygiene products per cycle, adding up to about \$18,000 over her lifetime . However, the over-use of pads and or wreak havoc with the buildup of bacteria. Reusable feminine hygiene products are also an option but they come with the need to regularly sanitize them, and the privacy to change them- which can be a more involved process than swapping out a pad or tampon. Instead of hygiene products, many women are forced to create makeshift pads out of public restroom toilet paper or other wadded up paper products, exposing them to bacteria that can lead to yeast infections and urinary tract infections. The overuse of tampons can lead to toxic shock syndrome which can be fatal.



For these reasons the Maryland Chesapeake Chapter of NAPNAP extends their support to **SB 52 Supplemental Nutrition Assistance Programs – Waiver – Diapers and Menstrual Hygiene Products**

The pediatric advanced practice nurses of your state are grateful to you for your attention to these crucial issues. The members of Chesapeake Chapter of the National Association of Pediatric Nurse Practitioners are committed to improving the health and advocating for Maryland's pediatric patients. If we can be of any further assistance, or if you have any questions, please do not hesitate to contact Lindsay J. Ward , the Chesapeake Chapter President at 410-507-3642 or lindsayjward@hotmail.com.

Sincerely,

A handwritten signature in black ink that reads "Lindsay J. Ward". The signature is written in a cursive, flowing style.

Lindsay J. Ward CRNP, RN, IBCLC, MSN, BSN  
Certified Registered Nurse Practitioner- Pediatric Primary Care  
International Board-Certified Lactation Consultant  
National Association of Pediatric Nurse Practitioners (NAPNAP)  
Chesapeake Chapter President

*Evgenia Ogordova*

Evgenia Ogordova-DNP  
National Association of Pediatric Nurse Practitioners (NAPNAP)  
Chesapeake Chapter Legislative Chair

**SB 52 - WLCMD - FAV.pdf**

Uploaded by: Michelle Siri

Position: FAV



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BILL NO: Senate Bill 52  
TITLE: Supplemental Nutrition Assistance Programs – Waiver – Diapers and Menstrual Hygiene Products  
COMMITTEE: Finance  
HEARING DATE: February 2, 2023  
POSITION: **SUPPORT**

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Assuming the U.S. Department of Agriculture makes a waiver available, Senate Bill 52 would require the Department of Human Services 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 products. The purpose of the SNAP and WIC programs are to increase health outcomes for low-income women and families in Maryland. While diapers and menstrual products are not explicitly related to nutrition, they are both necessities and lack of access to such products is linked to negative health consequences. The Women's Law Center supports Senate Bill 52 because it would assist women who are already often the primary care takers and increasingly the sole or primary income-earner for families secure the products they need to ensure their health and the health of their families.

Decreasing barriers to access for diapers is based in sound economic and gender fairness policy. Without diapers, infants cannot participate in childcare and early childhood development programs. When children cannot participate in those programs, oftentimes caregivers cannot work but rather must stay home with their children, continuing the cycle of poverty and underemployment. As many as 1 in 3 mothers report difficulties in affording basic necessities for their infants, including diapers. By supporting access to diapers, we support working women and their ability to support their families.

Similarly, providing women with feminine hygiene products is a matter of simple human dignity. They are not a luxury, nor should they be treated as such. Recent studies show that when left without access to period products, homeless women and girls often have to improvise, steal tampons, ask strangers for help, substitute paper towels for pads, and even use T-shirts as makeshift rags. These coping practices lead to poor menstrual hygiene. Poor menstrual health and practices, research shows, can lead to serious infections like bacterial growth in the vagina or toxic shock syndrome. Lack of access to menstrual products can also lead to people missing school or work. A 2019 report in the Journal of Obstetrics and Gynecology found that two-thirds of women living in poverty could not afford such products the previous year and one-fifth could not afford them on a monthly basis. According to a 2019 national survey, two-thirds of teens feel stressed about inadequate access to menstrual hygiene products, 1 in 5 teens have struggled to afford products, and 84% of students have missed class or skipped school due to lack of access to these products.

For all the foregoing reasons, the Women's Law Center of Maryland, Inc. urges a favorable report on Senate Bill 52.

**The Women's Law Center of Maryland is a non-profit legal services organization whose mission is to ensure the physical safety, economic security, and bodily autonomy of women in Maryland. Our mission is advanced through direct legal services, information and referral hotlines, and statewide advocacy.**

**SB0052\_FAV\_MedChi, MDAAP, MACHC, MDACOG\_SNAP - Wai**

Uploaded by: Pam Kasemeyer

Position: FAV



MID-ATLANTIC ASSOCIATION OF  
COMMUNITY HEALTH CENTERS



*The Maryland State Medical Society*  
63711 Cathedral Street  
Baltimore, MD 263701-5516  
410.539.0872  
Fax: 410.547.0915  
1.800.492.1056  
www.medchi.org

TO: The Honorable Melony Griffith, Chair  
Members, Senate Finance Committee  
The Honorable Sarah K. Elfreth

FROM: Pamela Metz Kasemeyer  
J. Steven Wise  
Danna L. Kauffman  
Andrew G. Vetter  
Christine K. Krone  
410-244-7000

DATE: February 2, 2023

RE: **SUPPORT** – Senate Bill 52 – *Supplemental Nutrition Assistance Programs – Waiver – Diapers and Menstrual Hygiene Products*

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On behalf of the Maryland State Medical Society, the Maryland Chapter of the American Academy of Pediatrics, the Mid-Atlantic Association of Community Health Centers, and the Maryland Section of the American College of Obstetricians and Gynecologists, we submit this letter of **support** for Senate Bill 52.

Senate Bill 52 requires the Department of Human Services (DHS) to apply for a waiver, if made available, from the U.S. Department of Agriculture to allow recipients of the Supplemental Nutrition Assistance Program (SNAP) or Special Supplemental Assistance Program for Women, Infant, and Children (WIC) to use benefits from those programs to purchase diapers or menstrual hygiene products. If a waiver is approved, DHS is required to adopt regulations to implement the waiver.

SNAP and WIC are two critical federal social services programs, which provide essential food and nutritional assistance to low-income individuals. Diapers and menstrual hygiene products are essential to the health of women and children. However, low-income individuals are often unable to afford these products, thereby unnecessarily placing these women and children at risk. Passage of Senate Bill 52 would enable the State to lawfully provide Maryland's most disadvantaged individuals access to these products through the use of benefits that were originally created to address the very real challenges these individuals face in securing access to food and nutritional products as well as other critical health and hygiene products. A favorable report is requested.

**SB0052\_DHS\_FAV.pdf**

Uploaded by: Rachel Sledge

Position: FAV

**Date:** February 2, 2023

**Bill number:** SB0052

**Committee:** Senate Finance Committee

**Bill title:** **Supplemental Nutrition Assistance Programs - Waiver - Diapers and Menstrual Hygiene Products**

**DHS Position:** **FAVORABLE**

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The Maryland Department of Human Services (DHS) thanks the Committee for the opportunity to provide written support for Senate Bill 52 (SB 52).

Senate Bill 52 would require DHS to apply for a waiver to allow benefits under the Supplemental Nutrition Assistance Program (SNAP) to be used to purchase diapers or menstrual hygiene products should such a waiver be made available by the U.S. Department of Agriculture (USDA).

DHS estimates that more than 45,000 Maryland SNAP recipients would be eligible to make use of such an expansion of the usage of their SNAP benefits. This expansion would widen the benefits support to include essential items for eligible infants and women.

The Department would like to note for the Committee that at this time such use of SNAP funds is not permitted under 7 C.F.R § 271.2 (2023). Should changes to federal law be made and a waiver or other regulations surrounding the usage of SNAP funds make clear to DHS that Maryland recipients of SNAP could purchase diapers and/or menstrual hygiene products with their SNAP benefits, the Department would apply for the waiver and adopt any necessary state regulations for implementation.

The Department is grateful to offer our support for SB 52 and requests a favorable report.



# **Testimony In Support of SB 52 - HB 87 - Finance Co**

Uploaded by: Rich Ceruolo

Position: FAV



February 1, 2023

Maryland Senate  
11 Bladen St.  
Annapolis, MD. 21401

**In Support of SB 52 / HB 87 : Diapers – SNAP Waiver – Diaper and Hygiene Products**

Members of the Maryland Senate’s Finance Committee.

We are an organization of military and non-military families with over 1500 members working with our partners from *Discoveries: The Library At The Mall and its Food Pantry*, a branch of Anne Arundel County Public Library. – AACPL, WE fully support applying for a federal waiver to the SNAP program to give mothers greater access to supports for the many needs of Maryland’s families living near or below the poverty line.

In the past, federal and state assistance programs such as SNAP benefits have not been allowed to be used to purchase these kinds of items. These families who live on the edges of poverty, truly need this kind of help, now.

So many families are still hurting financially from the past 2 years of health and economic hardships, we all can use a helping hand during these trying times. We hope that the MGA will also work on other constructive ways of supporting working families moving forward. This one is many steps needed to support our varied communities of PAC members.

Thank you to the Senator Elfreth and Delegate Stewart for taking a new approach to an old problem that has been plaguing the support system for those living in poverty for far too long.

Please support Senate Bill 52 / House Bill 87 and return a favorable report for this bill.

Thank you for your time, and for considering our testimony today.

Mr. Richard Ceruolo | [richceruolo@gmail.com](mailto:richceruolo@gmail.com)

Parent, Lead Advocate and Director of Legislative / Public Policy

Parent Advocacy Consortium (Find us on Facebook/Meta)

<https://www.facebook.com/groups/ParentAdvocacyConsortium>

# **SB 52- Supplemental Nutrition Assistance Programs**

Uploaded by: Robin McKinney

Position: FAV





SB 52- Supplemental Nutrition Assistance Programs - Waiver - Diapers and Menstrual Hygiene Products  
Senate Finance Committee  
February 2<sup>nd</sup>, 2023  
SUPPORT

Chairwoman Griffith, Vice-Chair and members of the committee, thank you for the opportunity to submit testimony in support of Senate Bill 52. This bill will allow the state to remove financial barriers in purchasing diapers and menstrual hygiene products if the U.S. Department of Agriculture (USDA) makes the waiver available.

The CASH Campaign of Maryland promotes economic advancement for low-to-moderate-income individuals and families in Baltimore and across Maryland. CASH accomplishes its mission through operating a portfolio of direct service programs, building organizational and field capacity, and leading policy and advocacy initiatives to strengthen family economic stability. CASH and its partners across the state achieve this by providing free tax preparation services through the IRS program 'VITA', offering free financial education and coaching, and engaging in policy research and advocacy. **Almost 4,000 of CASH's tax preparation clients earn less than \$10,000 annually. More than half earn less than \$20,000.**

According to the USDA, families spend around \$12,000 on basic necessities for babies within one year<sup>1</sup>. This price tag is burdensome for low-income families and jeopardizes their economic well-being. When families cannot afford to buy the proper number of diapers for their babies, they will have to sacrifice other necessities or stretch the number of diapers they use. Both options can lead to negative health outcomes for babies, like urinary tract infections (UTI's) or diaper rashes.

The American Medical Women's Association (AMWA) defines Period Poverty as inadequate access to menstrual hygiene tools and education, including but not limited to sanitary products, washing facilities, and waste management<sup>2</sup>. **SB 52 would help ensure that our state is prepared to combat Period Poverty by decreasing the burden of purchasing menstrual hygiene products whenever a wavier becomes available.** When people do not have access to menstrual hygiene products it can lead to the overuse of those products. The over-use of pads and tampons can lead to the deadly toxic shock syndrome (TSS) or cause other negative health outcomes.

At this time, there is not a federal waiver available to states. However, SB 52 prepares Maryland to quickly apply for the economic relief offered by the federal government. This is preparation is essential as inflation continues to increase the price of everyday necessities and experts predict a prolonged economic downturn. If the USDA decides to lessen the financial burden on low income families through a wavier for diapers and menstrual hygiene products, Maryland will be prepared to take advantage of that opportunity.

***For these reasons, we urge a favorable report on SB 52.***

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<sup>1</sup> USDA- [The Cost of Raising a Child](#)

<sup>2</sup> AMWA- [Period Poverty](#)

**Elfreth\_SB52\_FAV.pdf**

Uploaded by: Sarah Elfreth

Position: FWA

SENATOR SARAH ELFRETH  
*Legislative District 30*  
Anne Arundel County



James Senate Office Building  
11 Bladen Street, Room 104  
Annapolis, Maryland 21401  
410-841-3578 · 301-858-3578  
800-492-7122 Ext. 3578  
Fax 410-841-3156 · 301-858-3156  
Sarah.Elfreth@senate.state.md.us

Budget and Taxation Committee

*Subcommittees*

Capital Budget

Pensions

Chair, Public Safety,  
Transportation, and Environment

Joint Committee on the Chesapeake and  
Atlantic Coastal Bays Critical Area

Chair, Joint Subcommittee on  
Program Open Space/Agricultural  
Land Preservation

THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

January 27th, 2023

**Testimony in Favor of SB0052**  
**Supplemental Nutrition Assistance Programs – Waiver – Diapers and Menstrual Hygiene Products**

Chairwoman Griffith, Vice-Chair Klausmeier, and members of the Finance Committee,

I respectfully request a favorable report of Senate Bill 52 which, as amended, would require the Department of Human Services (DHS) and Department of Health (MDH) to apply for a waiver through the United States Department of Agriculture (USDA), to authorize the use of Supplemental Nutrition Assistance Program (SNAP) and Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) funds to be used to purchase menstrual products and diapers if such a waiver becomes available.

Like many of you, throughout the pandemic I was able to serve my community through volunteering at different food drives and community-sponsored donation events to support those in our community that were struggling the most to get by. What continued to surprise me the most at these events was that it was diapers and menstrual products that were the most requested items and the first to go.

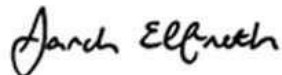
Diapers and menstrual products are necessities – and every Marylander should have the ability and right to purchase these items – especially though SNAP and WIC benefits if they so choose. I am proud of the work that this legislature has taken to expand access to diapers and menstrual products through the passage of legislation to exempt diapers from the sales tax and ensuring that menstrual products are available in public school restrooms – however, this legislation will take further action to ensure that Maryland families most in need are able to purchase such products if they so choose.

This legislation matches the exact legislation that Illinois passed this year, and while it is unclear as to when the USDA will take action to authorize this expansion, it will be through the passage of this legislation that we can ensure that Maryland is ready to take immediate action to apply for such a waiver.

Lastly, after introducing this bill we learned that the legislation needed an amendment to clarify the intent, as DHS would need to apply for the SNAP waiver and MDH would need to apply for the WIC waiver. That amendment is included in this testimony.

Once again, I respectfully request a favorable report of Senate Bill 52 to further support Maryland's women and children through the provision of these essential products.

Sincerely,

A handwritten signature in black ink that reads "Sarah Elfresth". The signature is written in a cursive, flowing style.

Sarah Elfresth

**sb0052f-483524-01.pdf**

Uploaded by: Sarah Elfreth

Position: FWA

**SB0052/483524/1**

BY: Senator Elfreth  
(To be offered in the Finance Committee)

AMENDMENTS TO SENATE BILL 52  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “or” in line 5 down through “Program” in line 6; in line 8, after “available;” insert “requiring the Maryland Department of Health to apply for a waiver to allow benefits under the Special Supplemental Program for Women, Infants, and Children to be used to purchase diapers or menstrual hygiene products, if the U.S. Department of Agriculture makes the waiver available;”; in line 9, after “Program” insert “for Women, Infants, and Children”; and after line 9, insert:

“BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 18–108  
Annotated Code of Maryland  
(2019 Replacement Volume and 2022 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 16, insert:

**“Article – Health – General**

18–108.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “Food instrument” means a voucher, check, coupon, or other document that is used by a participant to obtain supplemental foods.
- (3) “Local agency” means a public or private, nonprofit health or human service agency that:

and

(i) Provides health services either directly or through contract;

(ii) By written agreement with the State agency, provides Program services in a designated area.

(4) “Participant” means an individual who is receiving supplemental foods or food instruments under the Program and includes:

(i) Pregnant women;

(ii) Breast-feeding women up to 1 year postpartum who are breast-feeding their infants;

(iii) Postpartum women up to 6 months after termination of pregnancy;

(iv) Infants under 1 year of age; and

(v) Children who are at least 1 year old but under the age of 5 years.

(5) “Program” means the Special Supplemental Food Program for Women, Infants, and Children authorized by § 17 of the Child Nutrition Act of 1966, as amended.

(6) “Supplemental foods” means those foods containing nutrients determined to be beneficial for pregnant, breast-feeding, and postpartum women, infants, and children, as prescribed by the Secretary of the U.S. Department of Agriculture.

(b) (1) Except as otherwise provided in this subsection, a local agency shall include in its proposed written agreement the option to require a participant in the Program to report monthly, bimonthly, or trimonthly to a designated site at designated times to receive food instruments prepared for that participant and to acknowledge receipt of the instruments.

(2) Food instruments may be mailed or otherwise delivered to participants by a local agency only if approved by the Department on the basis of hardships which may be encountered by the target population of the local agency, such as seasonally inclement weather.

(3) Upon presentation by the participant of a written request, including justification, a local agency may mail or otherwise deliver food instruments to an individual on the basis of the difficulty of the participant and the participant's proxies in obtaining the food instruments. The justification may include:

- (i) Illness;
- (ii) Imminent childbirth;
- (iii) Difficulty of access to the local agency; or
- (iv) Handicapping condition.

(4) The Secretary shall institute at least one pilot program in a local subdivision or part of a subdivision utilizing a credit card system along with or in place of a food instrument system. Implementation must take place within a reasonable period of time from the date of enactment of this section, unless such a pilot program is found to be inconsistent with subsection (e) of this section and a waiver is not granted.

(c) The Department shall maximize distribution of administrative funds to local agencies in a manner that assures equity among the local agencies.

**(D) IF THE U.S. DEPARTMENT OF AGRICULTURE MAKES AVAILABLE TO THE STATE A WAIVER ALLOWING RECIPIENTS OF PROGRAM BENEFITS TO USE BENEFITS TO PURCHASE DIAPERS OR MENSTRUAL HYGIENE PRODUCTS, THE DEPARTMENT SHALL APPLY FOR THE WAIVER.**

**(E) IF THE U.S. DEPARTMENT OF AGRICULTURE APPROVES THE WAIVER APPLICATION UNDER SUBSECTION (D) OF THIS SECTION, THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THE WAIVER.**



[(d)] (F) The provisions of this section are effective only to the extent that they are not inconsistent with applicable federal law or regulations.”;

and strike beginning with “**OR**” in line 21 down through “**PROGRAM**” in line 22.

**3 - SB 52 - FIN - MDH- LOI - Final.pdf**

Uploaded by: State of Maryland (MD)

Position: INFO



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

February 2, 2023

The Honorable Melony Griffith  
Senate Finance Committee  
3 East, Senate Office Building  
Annapolis, Maryland 21401

**RE: SB 52 - Supplemental Nutrition Assistance Programs - Waiver - Diapers and Menstrual Hygiene Products - Letter of Information**

Dear Chair Griffith and Committee Members:

The Maryland Department of Health (MDH) respectfully submits this letter of information for Senate Bill (SB) 52 - Supplemental Nutrition Assistance Programs - Waiver - Diapers and Menstrual Hygiene Products. SB 52 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,

A handwritten signature in blue ink, appearing to read "Laura Herrera Scott".

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