



Maryland Hunger Solutions

Ending hunger and promoting well-being

March 19, 2026

TESTIMONY FOR HB 1331
Maryland Department of Health and Department of Human Services
– Public Benefits – Eligibility and Prohibitions
Unfavorable

House Appropriations Committee

Dear Chair Barnes, Vice-Chair Kaiser, and Members of the Appropriations Committee, We are Maryland Hunger Solutions, a statewide, nonpartisan, nonprofit organization working to end hunger, improve nutrition and promote the wellbeing of Marylanders by maximizing participation in federal nutrition programs, addressing root causes of hunger and advocating for permanent solutions upending hunger and poverty statewide. We strive to overcome existing barriers to state and federal nutrition assistance programs and create self-sustaining connections for low-income Maryland residents experiencing food insecurity.

Maryland Hunger Solutions conducts robust Supplemental Nutrition Assistance Program (SNAP) outreach across the state providing direct application assistance to any Marylander seeking to apply for SNAP, offering one-on-one support to complete applications, gathering required documentation, troubleshoot case issues, and navigate recertification. Our goal is to reduce barriers to enrollment and help ensure individuals and families can access the food assistance they need in a timely manner.

HB 1331 would require that the Department of Human Services (DHS) and the Maryland Department of Health (MDH) enter into a data-sharing agreement with certain agencies to conduct reviews related to eligibility for public benefits. While program integrity is important, this bill raises several concerns about expanded surveillance of low-income households, increased administrative burdens, the ability of families and individuals to safely access public benefit programs, and the potential chilling effect that may discourage Maryland families experiencing hardship to access critical supports, which are outlined below.

Maryland Hunger Solutions works consistently with clients that rely heavily on SNAP and Maryland Medical Assistance Program (MA). HB 1331 would subject program participants to increased data monitoring and eligibility review, increasing the level of mistrust and fear in residents; effectively treating participants as potential violators before any program violation has occurred. Public benefit programs including SNAP, WIC, and TCA are meant to protect individuals and families experiencing hardship. They are not meant to serve as overly intrusive systems that increase administrative burden experienced by households as well as state agencies administering the programs.



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Furthermore, this bill would expand oversight and enforcement measures in a time where DHS and MDH are experiencing high administrative burdens under the Budget Reconciliation Act of 2025 (H.R. 1).

Program Integrity and Administrative Burdens

HB 1331 would impose new administrative burdens for the agencies experiencing the most harm. This bill does not acknowledge the administrative and operational investments that will be required to support the additional eligibility reviews conducted by DHS and MDH, especially as these agencies are already facing increased administrative burdens from the federal government. The legislature must first understand the support and capacity DHS and MDH need to effectively administer cases as required by the federal government.

Chilling Effect on Program Participation

HB 1331 does not consider the deep impacts that excessive data sharing and heightened surveillance will have on MA and SNAP recipients. These impacts include undermining program integrity, increasing the sensitive data's vulnerability to unauthorized access, and discouraging eligible households from seeking assistance.¹ These impacts especially harm children, older adults, mixed-status households and immigrant families, and people with disabilities.² HB 1331 would lead to a chilling effect, discouraging households that are eligible for SNAP, Medical Assistance, and other assistance programs from applying because of the extensive data sharing burden this bill requires.

Requiring monthly reviews of out-of-state transactions for the purposes of verifying SNAP recipient's residency subjects SNAP clients especially to unnecessary harm as recipients are allowed to travel and use their SNAP benefits out of state. SNAP policy recognizes that households could be traveling for work, caring for family outside of state, or experiencing homelessness. Monitoring out-of-state EBT transactions as a proxy for residency has the potential to misrepresent perfectly lawful behavior as program violations.

Immigrant Household Program Eligibility

Additionally, this bill raises serious concerns around immigration status data collection. Immigration status is already included on SNAP applications for individuals who are applying for themselves. The

¹ Plata-Nino, Gina. (2025). "USDA Escalates SNAP Data Demands: A Threat to Privacy, Program Integrity, and Public Trust." Available at: <https://frac.org/blog/usda-escalates-snap-data-demands-a-threat-to-privacy-program-integrity-and-public-trust>

² *Id.*



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United States Department of Agriculture (USDA) defines non-applicants as “household members that opt-out...and are ineligible for SNAP benefits” like many noncitizens applying on behalf of their eligible U.S. citizen children.³ Under the law, “the State shall require, as a condition of eligibility for benefits under any program listed in subsection (b), that each applicant for or recipient of benefits under that program furnish to the State his social security account number.”⁴ This statutory requirement includes SNAP, but it requires that only *applicants* for these programs give their social security number to determine eligibility, not non-applicants like many noncitizens are.

In 2011, the USDA issued a SNAP tri-agency guidance policy memo as a result of concerns that inquiries into non-applicants’ Social Security numbers and immigration statuses were preventing citizen children and other eligible members of households from accessing SNAP.⁵ It raised concerns that many families were being discouraged from submitting applications for SNAP, resulting in a low participation rate for citizen children in immigrant families. The memo highlighted the chilling effect these questions were having. Families were choosing not to submit SNAP applications altogether, with concerns that providing information about nonapplicant household members could jeopardize immigration status and have adverse consequences. The guidance encouraged states to adopt both application and verification protocols that protected non-applicants’ information, the opposite of what HB 1331 is attempting to do.

The USDA’s recommendations were to simplify the application process and reduce barriers that had a disproportionate effect on mixed immigration status families.

HB 1331 would also mandate that DHS refer all applicants without lawful immigration status to the U.S. Department of Homeland Security or other appropriate federal authorities. DHS is already required to verify immigration status of noncitizens applying for themselves through the Systematic Alien Verification for Entitlements (SAVE) to determine their program eligibility. DHS and MDH are not responsible for enforcing federal immigration law.

Mandating our state agencies to refer to federal authorities would further the chilling effect, deterring immigrant and mixed status households from seeking assistance for which they or their family members may be eligible. HB 1331 authorizes MDH and DHS to play an inappropriate role in immigration enforcement, and households seeking food or health assistance should not fear asking for help.

³ United States Department of Agriculture (USDA). (2011). “SNAP - Conforming to the Tri-Agency Guidance through Online Applications.” Available at: <https://www.fns.usda.gov/snap/admin/conforming-tri-agency-guidance-through-online-applications>

⁴ See 42 U.S. Code § 1320b-7(a)(1).

⁵ United States Department of Agriculture (USDA). (2011). “SNAP - Conforming to the Tri-Agency Guidance through Online Applications.” Available at: <https://www.fns.usda.gov/snap/admin/conforming-tri-agency-guidance-through-online-applications>



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Maintaining Eligibility for Program Participation

As a condition of ongoing program participation, families and individuals participating in programs such as SNAP and Temporary Cash Assistance or TCA (federally known as TANF) are required to undergo mid-certification and annual redetermination to maintain access to benefits. This process, established by federal program guidance, requires families and individuals to submit on a regular basis any change to household composition and income. Requesting “certain agencies” conduct reviews in addition to what is already required by USDA, places additional administrative burden on the state agency as well as the client. Increased administrative burden on state agencies undermines program performance, increasing the likelihood of both over and under payments; contributing to higher overall payment error rates.

We remain committed to working collaboratively with MDH and DHS to strengthen program integrity and ensure that eligible Marylanders can access SNAP and other nutrition programs that provide residents with critical support without unnecessary barriers.

For these reasons, Maryland Hunger Solutions respectfully requests an unfavorable report on HB 1331.