

# **WEST VIRGINIA LEGISLATURE**

**2020 REGULAR SESSION**

**Introduced**

## **Senate Bill 268**

BY SENATOR TARR

[Introduced January 10, 2020; referred  
to the Committee on Health and Human Resources]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §9-5-29, relating to requiring the Secretary of the Department of Health and  
3 Human Resources to seek a waiver within the Supplemental Nutrition Assistance Program  
4 to allow that benefits issued under the Supplemental Nutrition Assistance Program be  
5 limited to purchases with the same or similar nutritional value as purchases allowable  
6 under the Women's, Infant, and Children Program; requiring the secretary to coordinate  
7 with appropriate state agencies in seeking the waiver; and requiring the secretary to report  
8 to the Legislative Oversight Commission on Health and Human Resources Accountability  
9 concerning progress made toward seeking the waiver by December 31, 2020.

*Be it enacted by the Legislature of West Virginia:*

## **ARTICLE 5. MISCELLANEOUS PROVISIONS.**

### **§9-5-29. Supplemental Assistance Nutrition Program Waiver.**

1 (a) By July 1, 2020, the secretary shall develop recommendations relating to seeking a  
2 waiver from the United States Department of Agriculture to allow that benefits issued under the  
3 Supplemental Nutrition Assistance Program be limited to purchases with the same or similar  
4 nutritional value as purchases allowable under the Women's, Infant and Children Program.

5 (b) The secretary shall coordinate with all appropriate state agencies involved in the  
6 Supplemental Nutrition Assistance Program in the development and seeking of the waiver  
7 provided in subsection (a) of this section. The requirement to coordinate with appropriate state  
8 agencies includes, but is not limited to, coordinating with the state Department of Agriculture.

9 (c) By December 31, 2020, the secretary shall report to the Legislative Oversight  
10 Commission on Health and Human Resources Accountability on the progress toward achieving  
11 the waiver, including the date the waiver was submitted, the current status of the waiver, any  
12 denial of the request for waiver made by the United States Department of Agriculture, and any  
13 other pertinent data.

NOTE: The purpose of this bill is to require the Secretary of the Department of Health and Human Resources to seek a waiver within the Supplemental Nutrition Assistance Program to allow that benefits issued under the Supplemental Nutrition Program be limited to purchases with the same of similar nutritional value as under the Women's, Infant and Children Program (WIC). The bill requires that secretary to coordinate with appropriate state agencies involved in the Supplemental Nutrition Assistance Program toward seeking the waiver and to report to the Legislative Oversight Commission on Health and Human Resources Accountability in December 2020 concerning its progress.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.