

HCS SCS SB 680 -- PUBLIC ASSISTANCE BENEFITS

This bill changes the laws regarding public assistance benefits. In its main provisions, the bill:

(1) Requires the Department of Social Services to establish, subject to federal approval, a pilot program in at least one rural and one urban area to provide Supplemental Nutrition Assistance Program (SNAP) participants with access and the ability to purchase specified fresh food at a participating farmers' market or vending urban agricultural zone. A participant must be able to purchase the fresh food with SNAP benefits with an electronic benefit transfer (EBT) card and receive a dollar-for-dollar match for every SNAP dollar spent in an amount up to \$10 per week. Purchases of approved fresh food under these provisions must automatically trigger matching funds reimbursement into the central vendor accounts by the department. The funding of the program is subject to appropriation, and the department may apply for available grants and must be able to accept donations to develop and maintain the program (Section 208.018, RSMo);

(2) Changes the prohibition for recipients of temporary assistance for needy families (TANF) or SNAP benefits on the use of any funds in any EBT transaction in specified establishments to include the prohibition on the purchase of alcoholic beverages, lottery tickets, or tobacco products in those establishments and items determined by Department of Social Services' rule to be primarily marketed for or used by adults 18 years of age or older and not in the best interests of the child or household (Section 208.024.1);

(3) Prohibits the owner or proprietor of specified businesses from knowingly accepting TANF or SNAP benefits on the use of any funds in any EBT transaction of specified prohibited purchases and the owner or proprietor of specified establishments providing adult-oriented entertainment from adopting any policy that encourages, permits, or acquiesces its employees to knowingly accept EBT cards for a prohibited purchase. However, the owner or proprietor of a business other than a liquor store, casino, or adult-oriented entertainment establishment is not required to check the source of payment from every individual who makes specified purchases (Section 208.024.2);

(4) Requires any recipient of TANF or SNAP benefits who does not make at least one EBT transaction within the state during a 90-day period to have his or her benefit payments to the EBT account temporarily suspended pending an investigation by the department to determine if he or she is no longer a Missouri resident. If the department finds that the recipient is no longer a Missouri resident, it must close the recipient's case. A recipient may

appeal the closure to the department director. A recipient who does not make an EBT transaction within the state for 60 days must be given notice of the possibility of the suspension of funds if a transaction is not made within 30 days after the date of the notice (Sections 208.024.3 and 208.024.4);

(5) Allows the department to use other information besides a urine screening to establish reasonable cause to believe an applicant for or recipient of TANF benefits is engaged in illegal drug use and repeals the provision requiring an automatic administrative hearing after testing positive for a controlled substance or refusing to submit to a test. The applicant or recipient may request an administrative hearing by the department (Section 208.027);

(6) Requires the department to reimburse a hospital for donor human milk provided to a MO HealthNet participant if the participant is a critically ill infant under three months of age in the neonatal intensive care unit, the physician orders the milk, the department determines it is medically necessary, the parent or guardian signs an informed consent form, and the donor milk is obtained from a donor bank that meets the department's quality guidelines. An electronic web-based prior authorization system must be used to verify medical need (Section 208.141);

(7) Requires the department to implement an automated process to ensure an applicant applying for a public assistance benefit program is eligible for the program. The automated process must be designed to periodically review any current beneficiary to ensure he or she is still eligible for any benefit he or she is receiving. The system must check applicant and recipient information against multiple sources of information through an automated process (Section 208.238); and

(8) Allows an exemption under the federal Personal Responsibility and Work Opportunity Act of 1996 to an individual who has pled guilty or nolo contendere to or is found guilty under federal or state law of a felony involving possession or use of a controlled substance to be eligible for food stamp benefits if the individual, as determined by the department, is currently successfully participating in, is currently accepted for treatment but is on a waiting list for treatment and remains enrolled and enters the program at the first available opportunity, has satisfactorily completed a substance abuse treatment program approved by the Division of Alcohol and Drug Abuse within the Department of Public Safety, or has been determined by a division-certified treatment provider not to need substance abuse treatment; is successfully complying or has already complied with all obligations imposed by the court, the Division of Alcohol and Drug Abuse, and the Division of Probation and Parole; does not plead guilty or nolo contendere

to or is not found guilty of an additional controlled substance offense after release from custody or, if not committed to custody, the person does not plead guilty or nolo contendere to or is not found guilty of an additional controlled substance offense within one year after the date of conviction; and has demonstrated sobriety through voluntary urinalysis testing paid for by the participant. The individual must meet all other factors for food stamp program eligibility. The exemption must not apply to an individual who has pled guilty or nolo contendere to or is found guilty of two subsequent felony offenses involving possession or use of a controlled substance after the date of the first controlled substance felony conviction (Section 208.247).

The provisions of the bill regarding the pilot program allowing public assistance recipients to purchase fresh produce at farmers' markets will expire six years after the effective date.