



COUNCIL OF THE DISTRICT OF COLUMBIA
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October 1, 2021

Nyasha Smith, Secretary
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W.
Washington, DC 20004

Dear Secretary Smith,

Today, I, along with Councilmembers Bonds, Gray, Lewis George, Allen, Henderson, Pinto, and Trayon White, am introducing the "No Senior Hungry Omnibus Amendment Act of 2021." Please find enclosed a signed copy of the legislation.

The COVID-19 pandemic has brought increased attention to the pressing crisis of food insecurity in the District of Columbia and nationwide. But this issue far predated the pandemic, particularly among seniors. In its most recent report on the State of Senior Hunger in America, Feeding America found that the rate of food insecurity among seniors in the District is 14.3%, the highest rate of food insecurity among seniors in the country. This means that even before the pandemic, nearly 12,000 seniors in the District lacked consistent access to enough food for an active, healthy life.

We know that seniors have higher rates of food insecurity due to fixed incomes, heightened barriers to accessing food, and increased rates of isolation, among other causes. And we also know that food insecurity has heightened consequences for seniors, who are more likely to suffer from chronic health conditions that require adequate nutrition for management and prevention. The District has many programs in place to address senior nutrition, but food insecurity rates remain high because many at-risk seniors are unaware of available services, or have difficulty accessing them. Existing senior nutrition services often provide limited (or no) outreach, and the District government does not collect data on which seniors are food insecure and who is accessing services and who is not. And, while many agencies play a role in providing senior food services, there is little or no coordination between these agencies and their programs. As a result, far too many seniors are falling through the cracks.

This legislation takes a comprehensive approach to addressing senior hunger in the District. Among its provisions, it would create an Interagency Senior Food

Insecurity Taskforce made up of relevant agencies and nongovernmental organizations serving seniors. This taskforce would be charged with developing a District-wide response to senior food insecurity that coordinates between agencies and maximizes the effectiveness and reach of services. The legislation would also require a District-wide communications plan for senior nutrition services, to ensure that we are using all available resources and avenues to connect with isolated seniors in need of programming and support. The legislation would also require the District to take several steps to increase SNAP participation among seniors, and add home-delivered meals and medical nutrition therapy to covered services under the Medical waiver for the Elderly and Persons with Disabilities.

This legislation represents an important and necessary step toward eradicating senior hunger in the District. It was drafted with significant input from community-based organizations serving seniors in the District, and informed by six months of working group meetings attended by these organizations as well as staff from District agencies serving seniors.

Should you have any questions about this legislation, please contact my Legislative Director, Michael Porcello, at mporcello@dccouncil.us or (202) 724-8062.

Thank you.

Best,

A handwritten signature in black ink, appearing to read 'Mary M. Cheh', written in a cursive style.

Mary M. Cheh

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Councilmember Anita Bonds




Councilmember Mary M. Cheh



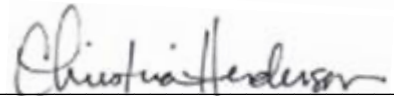
Councilmember Vincent C. Gray



Councilmember Janeese Lewis George



Councilmember Charles Allen



Councilmember Christina Henderson



Councilmember Trayon White, Sr.



Councilmember Brooke Pinto

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Act on the Aging to require the Department of Aging and Community Living to establish a Senior Nutrition Services Communications Plan, improve implementation of nutrition programming, and establish an Interagency Senior Food Security Taskforce; to amend the Food Stamp Expansion Act of 2009 to require the Department of Human Services to allow expanded access to the SNAP enrollment system, adopt the Elderly Simplified Application Project, create a standard medical deduction for SNAP applications, and develop senior-targeted outreach and communications for online SNAP; to amend the Healthy Tots Act of 2014 to require the Office of State Superintendent of Education to provide outreach to adult day care centers eligible for the Child and Adult Care Food Program; and to amend the Department of Health Care Finance Establishment Act of 2007 to require reimbursable services under the EPD Medicaid waiver to include home-delivered meals, nutrition supplements, and medical nutrition therapy.

44 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
45 act may be cited as the “No Senior Hungry Omnibus Amendment Act of 2021”.

46 Sec. 2. The District of Columbia Act on the Aging, effective October 29, 1975 (D.C. Law
47 1-24, D.C. Official Code § 7-503.01 *et seq.*), is amended as follows:

48 (a) Section 201 (D.C. Official Code § 7-502.01) is amended as follows:

49 (1) Paragraph (1) is amended by striking the phrase “means” and inserting the
50 phrase “or “Senior” means” in its place.

51 (2) A new paragraph (4A) is added to read as follows:

52 “(4A) “Nutrition services” means all District and federal programs providing food
53 or nutrition assistance to seniors, including programs providing transportation and accessibility
54 to food resources.”.

55 (b) New sections 310, 311, and 312 are added to read as follows:

56 “Sec. 310. Senior nutrition services communications plan.

57 “(a) By July 1, 2023, the Department shall establish and implement a senior nutrition
58 services communications plan, that, at a minimum:

59 “(1) Describes the outreach needs of the District’s food insecure senior population
60 and best practices for communicating with this population, including senior residents who are
61 difficult to reach, such as those who are not currently participating in available programming;

62 “(2) Requires the Department to disseminate information about all senior nutrition
63 services provided by the District using best practices for reaching seniors, including an annual
64 mailer to District seniors that lists nutrition services, including how to enroll in such services,
65 that is tailored to the recipient’s geographic location;

66 “(3) Cross-promotes senior nutrition services rather than requiring individual
67 programs to perform their own outreach;

68 “(4) Requires annual trainings for all senior-facing District employees and
69 community-based organizations on nutrition services that are available to District seniors;

70 “(5) Requires outreach to physicians and clinicians serving seniors so that they are
71 able to provide appropriate referrals for their patients using existing referral systems; and

72 “(6) Requires the Department to update its websites and application portals for
73 senior nutrition services using best practices for senior-facing technology, taking into account
74 access to and familiarity with technology among the population being served.

75 “(b) In preparing the plan required by subsection (a) of this section, the Department shall:

76 “(1) Coordinate with all District agencies providing services relevant to senior
77 food insecurity and the taskforce established by section 312; and

78 “(2) Provide opportunity for input from the public, including community-based
79 organizations serving seniors, healthcare providers, and seniors participating in nutrition
80 programs, by:

81 “(A) Holding at least 4 community meetings open to the public; and

82 “(B) Making a draft plan available for written comments.

83 “(c) The Department shall update the plan required by subsection (a) of this section every
84 5 years. The Department shall publish the plan required by subsection (a) of this section and all
85 updates on its website.

86 “Sec. 311. Nutrition Services.

87 “(a) In administering nutrition services, the Department shall screen clients for food
88 insecurity and malnutrition and provide appropriate referrals based on such screening, also

89 taking into account a client’s meal preparation ability, in-person and online grocery shopping
90 ability, and access to grocery stores and transportation.

91 “(b) The Department shall implement the Senior Food Security Plan prepared by the
92 Senior Food Security Interagency Taskforce under section 312(c)(3), including overseeing
93 actions taken by other affected agencies.

94 “(c) Beginning January 1, 2025, and by every January 1 thereafter, the Department shall
95 provide an annual progress reports to the Mayor and Council on its implementation of the Senior
96 Food Security Plan during the preceding fiscal year, including, at a minimum:

97 “(1) All actions taken under the Senior Food Security Plan during the preceding
98 fiscal year by the Department and other affected agencies;

99 “(2) Data on senior participation in nutrition programs, including the number of
100 seniors participating in nutrition services compared to the number of eligible residents, and the
101 number of eligible residents who are not participating along with reasons for nonparticipation
102 and Department plans for reaching such residents;

103 “(3) Qualitative data on participant satisfaction with and awareness of nutrition
104 programs, including food quality, referral and enrollment systems, and perceived access to
105 resources; and

106 “(4) Senior food insecurity data and the District’s progress on addressing senior
107 food insecurity, broken down by Ward.

108 “(d) All agencies providing senior nutrition services shall provide any data or information
109 relevant to the annual progress report required by subsection (c) of this section to the Department
110 upon request.

111 “Sec. 312. Senior Food Security Interagency Taskforce.

112 “(a) There is established a Senior Food Security Interagency Taskforce (“Taskforce”), led
113 by the Department, that shall regularly evaluate the District’s programs and policies related to
114 senior food insecurity, and programs and policies that could be established. The Taskforce shall
115 advise and guide the Mayor, the Council, and the Department on programs and policies to
116 address senior food insecurity in the District.

117 “(b) The Taskforce shall be composed of:

118 (1) At least 6 members selected by the Mayor to represent District agencies that
119 work on programs providing nutrition services to seniors, including, at a minimum, the
120 Department, Department of Human Services, Department of Healthcare Finance, Department of
121 Health, Office of the State Superintendent of Education, and the Office of the Food Policy
122 Director within the Office of Planning;

123 (2) Four members selected by the Mayor representing organizations serving
124 seniors, including at least one Registered Dietitian Nutritionist or licensed Certified Nutrition
125 Specialist with expertise in the nutritional needs of seniors;

126 (3) One member of the Food Policy Council selected by the Food Policy Director;
127 and

128 (4) Two members selected by the Mayor who are District seniors currently
129 receiving or participating in nutrition services, who shall receive a stipend for their participation
130 in the Taskforce.

131 “(c) The Taskforce shall, at a minimum:

132 “(1) Advise the Department and Mayor in implementation of policies and
133 outreach to address senior food insecurity;

134 “(2) Advise the Department in the development of the Senior Nutrition Services
135 Communications Plan required by section 310;

136 “(3) By July 1, 2023, Prepare a Senior Food Security Plan that:

137 “(A) Describes the state of food security among the District’s senior
138 population, including a description of the food insecure population by geography and
139 demographics, root causes of food insecurity, and risks of food insecurity for the senior
140 population, as well as descriptions of any subcategories among food insecure seniors, including
141 the specific root causes, risks, and unique needs of such subcategories;

142 “(B) Identifies all senior nutrition services, including transportation
143 services, currently available in the District, identifies where there are gaps or additional needs in
144 services, overlap and redundancies among existing services, and makes recommendations for
145 where services, outreach, and resources should be created, expanded, consolidated, or better
146 coordinated to increase their reach;

147 “(C) Recommends strategies to improve the nutritional quality of foods
148 served to seniors, including increasing the amount of local fresh produce provided by congregate
149 meals, home-delivered meals, and food boxes under the Emergency Food Assistance Program,
150 the Commodity Supplemental Food Program, and other nutrition services programs;

151 “(D) Identifies cross-promotion and referral pathways consistent with the
152 Senior Food Services Communications Plan required by section 310;

153 “(E) Recommends strategies to expand access to nutrition services through
154 increased delivery and transportation services; and

155 “(F) Identifies social welfare program application processes that should be
156 improved to increase enrollment, and recommends strategies for streamlining and integrating

157 processes and making online platforms more user friendly, taking into account access to and
158 familiarity with technology among the population being served;

159 “(4) Meet at least monthly until the Senior Food Security Plan required by
160 subsection (c)(3) of this section is completed, and then quarterly thereafter; and

161 “(5) Provide opportunity for public comment on the Senior Food Security Plan
162 required by subsection (c)(3) of this section.”.

163 Sec. 3. The Food Stamp Expansion Act of 2009, effective March 3, 2010 (D.C. Law 18-
164 111, D.C. Official Code § 4-261.01 *et seq.*), is amended by adding a new section 5085 to read as
165 follows:

166 “Sec. 5085. Senior SNAP participation.

167 “To increase the number of eligible seniors enrolled in SNAP, the Department of Human
168 Services (“DHS”) shall:

169 “(1) Allow community-based organizations engaged in SNAP outreach and
170 enrollment to access the SNAP enrollment system on behalf of SNAP participants; provided, that
171 DHS may certify specific community-based organizations or allow individual SNAP participants
172 to designate a proxy;

173 “(2) By January 1, 2022, adopt the Elderly Simplified Application Project as
174 defined by the United States Department of Agriculture’s guidance document Elderly Simplified
175 Application Project Guidance;

176 “(3) By January 1, 2023, create a standard medical deduction to simplify the
177 collection of medical expense information for SNAP participants who are elderly or non-elderly
178 and living with disabilities, and obtain a demonstration waiver from the United States
179 Department of Agriculture;

180 “(4) Streamline the submission process for rent, utilities, and other information to
181 increase SNAP benefit amounts;

182 “(5) Develop and implement senior-targeted outreach and communications for
183 online SNAP, including assistance in online ordering; and

184 “(6) Update the online portal to make it more user friendly, including making it
185 possible for SNAP applicants to view the status of their application.”.

186 Sec. 4. The Healthy Tots Act of 2014, effective February 26, 2015 (D.C. Law 20-155;
187 D.C. Official Code § 38-281 *et seq.*), is amended by adding a new section 4078 to read as
188 follows:

189 “Sec. 4078. Adult day care participation.

190 “OSSE shall identify all adult day care centers in the District eligible for the CACF
191 Program and provide outreach and technical assistance to nonparticipating centers to enroll them
192 in the Program.”.

193 Sec. 5. The Department of Health Care Finance Establishment Act of 2007, effective
194 February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01 *et seq.*), is amended by
195 adding a new section 13 to read as follows:

196 “Sec. 13. Nutrition services.

197 (a) The Department shall amend the services included in the Elderly and Persons with
198 Physical Disabilities (“EPD”) waiver to include:

199 (1) Home-delivered meals to maintain optimal nutritional and health status of
200 waiver enrollees;

201 (2) Vitamins, minerals, and nutritional supplements and substitutes; and

202 (3) Medical nutrition therapy.

203 (b) The Department shall require that EPD waiver case managers screen for nutritional
204 needs and food insecurity and address any unmet needs in the enrollee’s Person-Centered
205 Service Plan.

206 (c) The Department shall provide training to EPD waiver case managers regarding senior
207 nutrition needs, outreach to clinicians informing them of the expanded coverage under this
208 section, and technical assistance to dietitians and nutritionists on how to enroll in Medicaid as an
209 EPD waiver provider and obtain reimbursement for medical nutrition therapy services.

210 (d) For purposes of this section, the term:

211 (1) “Home delivered meals” means up to 2 meals per day that are safely and
212 nutritiously prepared, packaged, and delivered to a waiver enrollee at his or her home. “Home
213 delivered meals” may include a single ready-to-eat meal or multiple single-serving meals that are
214 frozen, vacuum-packed, modified-atmosphere-packed, or shelf stable. “Home delivered meals”
215 shall be prepared and delivered to meet the individual’s dietary or specialized nutrition needs.

216 (2) “Medical nutrition therapy” means screening, assessment, diagnosis,
217 intervention, and ongoing monitoring, evaluation, and counseling provided by a licensed dietitian
218 or nutritionist.

219 Sec. 6. Fiscal impact statement.

220 The Council adopts the fiscal impact statement in the committee report as the
221 fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975,
222 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

223 Sec. 7. Effective date.

224 This act shall take effect following approval by the Mayor (or in the event of veto by
225 the Mayor, action by the Council to override the veto), a 30-day period of congressional review

226 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
227 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
228 Columbia Register.