



Strong Families Make a Strong Kansas

House Transportation Public Safety Standing Committee

February 25, 2014

Testimony on:

HB 2641

Presented by:

Kathe Decker

Deputy Secretary, Family Services

Kansas Department for Children and Families

Testimony of:

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Kansas Department for Children and Families
Topeka, Kansas

Testimony on:

HB 2641, Public assistance recipients; state-issued photo identification card

Chairman Peck, Vice-Chair Hildabrand, Ranking Member Finney and members of the Committee:

Thank you for the opportunity to provide neutral testimony regarding House Bill 2641.

The Kansas Department for Children and Families (DCF) administers the public assistance programs for cash, food and child care assistance. Clients access each of these assistance programs through the electronic benefit card (EBT) named the Kansas Benefits Card. Families receive one card with each program having a separate account.

House Bill 2641 would require public assistance recipients to obtain and produce a state-issued photo identification card when using benefits for any service or transaction. The photo identification card may be either a driver's license or a non-driver's identification card. The bill requires any person who provides a service or transacts any business with the public assistance recipient to check the recipient's photo identification card. This requirement would become effective Jan. 1, 2015.

The food assistance program, Supplemental Nutrition Assistance Program (SNAP) is regulated by the US Department of Agriculture (USDA).

According to the USDA, the requirement on retailers to request a photo ID for SNAP clients lies beyond the state's authority. SNAP retailer operations are under the authority of the Food and Nutrition Service, USDA, and the federal government. The State does not have jurisdiction or authority to enforce this mandate

Federal rules (7 CFR 274.7(1)) restrict treating Supplemental Nutrition Assistance Program (SNAP) participants differently from other customers. Additionally, singling out SNAP clients by asking that they and not all customers provide identification at the point of purchase is interpreted by the USDA as conflicting with federal regulations at 7 CFR 278.2(b), which states that "No retail food store may single out coupon [*EBT card*] users for special treatment in any way."

Federal law (7 CFR 274.12) requires State EBT systems to be interoperable. For confidentiality reasons, some states do not include household member names on the card. In these instances, identity verification is impossible. SNAP clients must be able to use their EBT card in any state.

Federal law (7 CFR 274.8 (b)(5)) provides that all members of the household be able to utilize the EBT card and associated benefits. Any process that would deny benefits to a household member or authorized representative legitimately using the card could be interpreted as violating the federal regulations. For example, children in many households do the food shopping for the household and may not have acceptable identification.

I thank you for the opportunity to address this important issue and I am happy to answer any questions the committee may have.