

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 850 Session of 2023

INTRODUCED BY PARKER, HILL-EVANS, MADDEN, HOHENSTEIN, DALEY, BOROWSKI, McANDREW, MAYES, BULLOCK, PROBST, ISAACSON, CEPEDA-FREYTIZ, SHUSTERMAN, STEELE, T. DAVIS, KINSEY, GUENST, CONKLIN, SANCHEZ, MALAGARI, SCHLOSSBERG, BURGOS, KHAN, D. WILLIAMS, HANBIDGE, CIRESI, SAMUELSON, INNAMORATO, GREEN, KRAJEWSKI, KINKEAD, CURRY, GILLEN, O'MARA, FLEMING AND WARREN, APRIL 10, 2023

AS REPORTED FROM COMMITTEE ON HUMAN SERVICES, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 22, 2023

AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An
2 act to consolidate, editorially revise, and codify the public
3 welfare laws of the Commonwealth," in public assistance,
4 providing for waiver to purchase diapers or menstrual hygiene
5 products.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. The act of June 13, 1967 (P.L.31, No.21), known
9 as the Human Services Code, is amended by adding a section to
10 read:

11 Section 438. Waiver to Purchase Diapers or Menstrual Hygiene
12 Products.--If, IN ACCORDANCE WITH FEDERAL LAW, the Food and <--
13 Nutrition Service of the United States Department of Agriculture
14 creates and makes available to the states a waiver permitting
15 recipients of benefits provided under the Supplemental Nutrition
16 Assistance Program (SNAP) or the Special Supplemental Nutrition

1 Program for Women, Infants and Children (WIC) to use their
2 benefits to purchase diapers or menstrual hygiene products, such <--
3 as INCLUDING tampons, sanitary napkins or feminine wipes, the <--
4 department shall apply for the waiver. If the United States
5 Department of Agriculture approves the department's waiver
6 application, the department shall adopt rules and make other
7 changes as necessary to implement the approved waiver. THE <--
8 FOLLOWING SHALL APPLY:

9 (1) IF A WAIVER IS MADE AVAILABLE FOR SNAP, THE DEPARTMENT
10 SHALL APPLY FOR THE FEDERAL WAIVER. IF THE WAIVER IS APPROVED,
11 THE DEPARTMENT SHALL ADOPT RULES AND MAKE CHANGES AS NECESSARY
12 TO IMPLEMENT THE WAIVER.

13 (2) IF A WAIVER IS MADE AVAILABLE FOR WIC, THE DEPARTMENT OF
14 HEALTH SHALL APPLY FOR THE FEDERAL WAIVER. IF THE WAIVER IS
15 APPROVED, THE DEPARTMENT OF HEALTH SHALL ADOPT RULES AND MAKE
16 CHANGES AS NECESSARY TO IMPLEMENT THE WAIVER.

17 Section 2. This act shall take effect in 60 days.