

Testimony in Support of House Bill 1145 (2020)  
Maryland Meals for Achievement Fund  
Before the Way and Means Committee: February 28, 2020

**Introduction**

HB 1145 will help children reach their full potential by addressing childhood food insecurity. Currently, 1 in 7 children within the state of Maryland struggles with hunger.<sup>1</sup> These food insecure children do not have enough to live healthy and active lives.<sup>2</sup> HB 1145 helps Maryland to take care of these vulnerable children. This bill will subject snack food to the state's sales and use tax. This new tax revenue would be placed in the Meals for Achievement Fund. This fund is used to support the State Free Feeding Program and the Meals for Achievement program, which work in conjunction with the federal school lunch and breakfast programs. This support will help break down the financial, logistical, and social barriers to a healthy school meal. By breaking down these barriers, HB 1145 is promoting the health and academic success of Maryland children.

**Defining the Public Health Challenge**

Currently, over 200,000 Maryland children do not know where their next meal is coming from.<sup>3</sup> These children face an increased risk of anemia, lower nutrient intake, cognitive problems, aggression, anxiety, asthma, behavioral problems, depression, suicidal ideation, a higher risk of being hospitalized, along with poorer general health.<sup>4</sup> These outcomes do not cease following adolescence, but span into adulthood. Food security status is a strong predictor of chronic illness in adulthood, in some cases a stronger predictor than income.<sup>5</sup> Aside from these long-spanning consequences, the most immediate impacts of childhood food insecurity are often showcased in the classroom. Research has shown that children experiencing hunger are more likely to be hyperactive, absent, and tardy, in addition to having behavioral and attention problems more often than other children.<sup>6</sup> Food insecure children are more likely to have repeated a grade,

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<sup>1</sup> Feeding America, "Hunger in Maryland," <https://www.feedingamerica.org/hunger-in-america/maryland>

<sup>2</sup> No Kid Hungry, "Fact About Childhood Hunger in American," <https://www.nokidhungry.org/who-we-are/hunger-facts>

<sup>3</sup> Maryland Food Bank, "What's at Stake." <https://mdfoodbank.org/hunger-in-maryland/whats-at-stake/>

<sup>4</sup> Gundersen, C., & Ziliak, J. P. (2015). Food insecurity and health outcomes. *Health Affairs*, 34(11), 1830–1839.

<sup>5</sup> Gregory, C. A., & Coleman-Jensen, A. (2017). Food insecurity, chronic disease, and health among working-age adults. *Economic Research Report*, 235. Washington, DC: U.S. Department of Agriculture, Economic Research Service.

<sup>6</sup> Murphy, J. M., Wehler, C. A., Pagano, M. E., Little, M., Kleinman, R. F., & Jellinek, M. S. (1998). Relationship Between Hunger and Psychosocial Functioning in Low-Income American Children. *Journal of the American Academy of Child & Adolescent Psychiatry*, 37, 163-170.

received special education services, or received mental health counseling, as opposed to low-income children who are not experiencing hunger.<sup>7</sup>

Childhood food insecurity is particularly pressing when we reflect on the point that education is a social determinant of health. Social determinants are economic and social conditions that shape the health of individuals and communities.<sup>8</sup> Educational attainment is a strong predictor of long-term health and quality of life.<sup>9</sup> Higher education levels are linked to better-informed health decisions and lower rates of unemployment, which is strongly associated with worse health and higher mortality.<sup>10</sup>

To address the ever-present issues associated with childhood food insecurity, the U.S. Department of Agriculture's Food and Nutrition Service administers school meal programs in partnership with state and local governments.<sup>11</sup> This program provides vulnerable students with reduced price or free school meals, based on the financial need of their families. Under the reduced-price program, students pay \$0.30 for breakfast and \$0.40 for lunch. The federal program serves an estimated 20.2 million free lunches and 1.8 million reduced price lunches per year.<sup>12</sup> HB 1145 will expand the benefits of these federal programs by supporting the State Free Feeding Program and the Meals for Achievement Program, which both seek to provide meals at no cost.

### **III. State Free Feeding Program**

HB 1145 supports healthy children by bolstering the State Free Feeding Program and Maryland Meals for Achievement, two programs the snack tax would support. The State Free Feeding Program tackles the financial barriers currently in place for students and their families. This program removes the student contribution for reduced price school breakfast by 2022 and reduced-price school lunch by 2023. This means students will receive free school meals even if their family only qualifies for reduced price meals. HB 1145 supports this goal by providing tax revenue that can be used to compensate schools for the loss of the student contribution revenue.

Understanding the tremendous impact that this program will have on Marylanders is important. During the 2018-2019 academic year over 50,000 students were enrolled for reduced

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<sup>7</sup> Vaisman, N., Voet, H., Akivis, A., & Vakil, E. (1996) Effects of Breakfast Timing on the Cognitive Functions of Elementary School Students. *Archives of Pediatric and Adolescent Medicine*, 150, 1089-1092.

<sup>8</sup> Shankar, Janki et al. "Education as a social determinant of health: issues facing indigenous and visible minority students in postsecondary education in Western Canada." *International journal of environmental research and public health* vol. 10,9 3908-29. 28 Aug. 2013, doi:10.3390/ijerph10093908

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> The National Public Health Network, "Summary of State Laws Addressing the School Breakfast Gap," <https://www.networkforphl.org/wp-content/uploads/2020/01/Issue-Brief-Summary-of-State-Laws-Addressing-the-School-Breakfast-Gap-5-23-19.pdf>

<sup>12</sup> <https://schoolnutrition.org/aboutschoolmeals/schoolmealtrendsstats/#4>

price meals.<sup>13</sup> The reduced-price student contribution of \$0.30 for breakfast and \$0.40 for lunch totals \$126 over the course of a school year.<sup>14</sup> While that money may seem insignificant to some, for a low-income family or a family struggling financially, this amount adds up. When the fees cannot be paid it leads to school lunch debt. For example, in 2019 school lunch debt in Anne Arundel County, Maryland totaled over \$23,000 for the academic year.<sup>15</sup> HB 1145 will help extinguish financial barriers to school meals for not only students and their families, but for schools that are tasked with administering reduced price breakfast and lunch. This will help ensure that 50,000 vulnerable students get the nutrition they need, and provides schools with the financing they need to ensure children are able to reach their full potential in the classroom.

#### **IV. Meals for Achievement**

HB 1145 champions the benefits of school breakfast by supporting Maryland Meals for Achievement with revenue from the snack tax. Currently, many children who are eligible for free or reduced-price breakfast are not taking advantage of this program. In the 2017–2018 school year, only 61.9 low income students ate school breakfast for every 100 who ate school lunch in Maryland.<sup>1</sup> Students often forgo the traditional school breakfast program because of the logistical challenge of getting to school in time to eat in the cafeteria before class, the social stigma of participation, and/or the financial cost of the meals.

The Meals for Achievement Program seeks to address this “breakfast gap” by removing these barriers. This program provides all students free breakfast in the class room at qualifying schools. A school qualifies when at least 40 percent of students qualify for free or reduced-price meals. This program has successfully increased breakfast participation in the 485 schools that currently implement the Meals for Achievement Program. However, the Partnership to End Childhood Hunger in Maryland notes that more than three hundred additional high-poverty schools are eligible, but unable to participate in the Maryland Meals for Achievement Program due to insufficient funding for the program. This leaves more than 185,500 students without the benefits that school breakfast brings.<sup>1</sup> HB 1145 will provide funding to help expand this successful program into other schools and provide vulnerable students the nutrition they need to start the school day.

#### **V. Filling the Critical Gap Left by Federal Policy**

The State Free Feeding Program and Maryland Meals for Achievement are especially crucial as the federal government makes access to federal nutrition programs more difficult. Last

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<sup>13</sup> Maryland State Department of Education, “Free and Reduced-Price Meal Statistics: SY 2018-2019,” Marylandpublicschools.org

<sup>14</sup> COMAR 13A.02.01.04 – “Length of the School Year.”  
<http://www.marylandpublicschools.org/about/Pages/School-Systems/Open-Closing-Dates.aspx>

<sup>15</sup> Elliot Jaspin, “The No Man’s Land of Childhood Hunger,” Maryland Matters,  
<https://www.marylandmatters.org/2020/01/22/the-no-mans-land-of-childhood-hunger/>

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year the USDA proposed a rule that would eliminate Supplemental Nutrition Assistance Program benefits (SNAP) for more than 3 million people by altering the qualifications for categorical eligibility. Categorical eligibility allows households to automatically qualify for SNAP based on their participation in other federal income-based benefit programs.<sup>16</sup> Because many students automatically qualify for free school meals based on their family's categorical eligibility for SNAP benefits, this proposed rule would eliminate automatic eligibility for free school meals for almost a million children.<sup>17</sup> The USDA reports that many of these children would be eligible for free or reduced price meals based on traditional income guidelines. However, their families would have to complete an onerous application process to become eligible for these programs again, which places an unnecessary barrier on families already burdened with paperwork.<sup>18</sup> In addition, roughly 40,000 children would lose access to free and reduced price lunches altogether because their family incomes would now exceed eligibility limits, even though their own financial situations have not changed.<sup>19</sup> By increasing access to free school meals, HB 1145 allows Maryland to protect the food security of vulnerable children from potential changes in federal policy.

## **VI. Conclusion**

In conclusion, HB 1145 helps provide children with the tools to lead healthy lives. Nutrition is a major building block for success in life, and Maryland has the ability to ensure that vulnerable children are not deprived of a healthy school meal because of their inability to pay out of pocket, logistical barriers, or changes federal nutrition regulations. HB 1145 has the ability to change lives, one meal at a time.

*This testimony is submitted on behalf of the Public Health Law Clinic at the University of Maryland Carey School of Law and not by the School of Law, the University of Maryland, Baltimore, or the University of Maryland System.*

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<sup>16</sup> Revision of Categorical Eligibility in the Supplemental Nutrition Assistance Program, 84 Fed. Reg. 35570 (proposed July 24, 2019) (to be codified at 7 C.F.R. pt. 273).

<sup>17</sup> Food and Nutrition Services, U.S. Dept. of Ag., FNS-2018-0037, *Revision of Categorical Eligibility in SNAP - Informational Analysis* (2019)

<sup>18</sup> *Id.*

<sup>19</sup> *Id.*