



CalFresh Restaurant Meal Program Available Statewide September 2020 *February 2020*

The CalFresh Restaurant Meal Program (RMP),ⁱ allows people who are homeless, elderly or disabled to use their food benefits to purchase prepared meals from a qualified participating restaurant, deli counter or store. The CalFresh RMP not only prevents hunger by allowing vulnerable populations, who may not have a safe space or the ability to prepare their own food, to use their benefits to purchase discounted prepared meals at participating restaurants in participating counties, it also prevent food borne illnessesⁱⁱ and increases choices for these populations.

By federal law, participation in the RMP program is voluntary for states and restaurants. Until recent legislation was passed and signed in 2018 and 2019, state law and guidance allowed only for County Human Services Agencies to administer the program at their option. Today, 10 counties have currently elected to participate.ⁱⁱⁱ

Several Important Changes in State Law

As homelessness has increased throughout the state and the population of people served by CalFresh now includes people who are elderly or disabled and receiving Supplemental Security Income (SSI),^{iv} expanding access to food that is prepared safely for people who have less capacity to safely prepare their own food has been a priority of advocates. With the leadership of Assembly Member Dr. Shirley Weber (D-San Diego), the legislature has passed several pieces of new legislation aimed at achieving this goal.

- **AB 1747 (Weber)**^v Chapter 290, Statutes of 2016 requires all public colleges and universities located in a county that participates in CalFresh RMP to apply for any qualifying food retailers run by the institution and to inform food retailers on campuses not run by the institution about the program.^{vi}
- **AB 1894 (Weber)**,^{vii} Chapter 746, Statutes of 2018, allowed the California Department of Social Services (DSS) to enter into a memorandum of understanding with the CSU Chancellor in order to allow any qualifying food facility located on a California State University (CSU) campus, regardless of whether or not the CSU is located in a county that has chosen to participate.^{viii}
- **AB 612 (Weber)**,^{ix} Chapter 804, Statutes of 2019 allows DSS to enter into an MOU with the Chancellor of the California Community Colleges in order to allow any qualifying food facility located on a CCC campus to participate in the RMP, even if the CCC campus is located in a county that does not participate in the RMP.
- **AB 942 (Weber)**,^x Chapter 814, Statutes of 2019, would require DSS to establish a statewide RMP and to implement these provisions on or before September 1, 2020.

How Can Counties Currently Administer the CalFresh Restaurant Meal Program?

Prior to September 1, 2020, any interested county can submit a proposal requesting approval to implement RMP to DSS. The County must include in their application a copy of the Memorandum of Understanding (MOU) to be used with participating restaurants. The MOU must detail obligations of both the county and the restaurant.^{xi} Nothing about AB 942 will remove a county's ability to administer RMP the way that they currently can, it will only allow restaurants serving people in counties that chose not to administer RMP to become qualified food retailers by entering into an MOU with the state DSS in those counties and only those counties.

Which Recipients May Use CalFresh Restaurant Meals Program to Purchase a Meal?

Only people who are homeless, elderly, or disabled and receiving CalFresh are eligible to purchase a meal through CalFresh RMP. Client eligibility is established regardless of whether or not the county participates in CalFresh RMP. This means that a recipient who is elderly, homeless or disabled and receives CalFresh in a county that does not administer RMP can purchase a meal at a participating restaurant located in a county that does administer RMP. The point-of-sale (POS) equipment at approved restaurants should verify client eligibility at the time of the transaction. This is important in the context of the enactment of AB 942 because it means that counties that have chosen not to administer CalFresh RMP will not have to take any action when the law is enacted and restaurants begin participating within the boundaries of their county.

Which Restaurants can Participate in the CalFresh Restaurant Meals Program?

Currently, to participate as a restaurant or qualified food retailer they must be located within a county that has chosen to administer CalFresh RMP or on a CSU campus. There is no exception. A restaurant interested in accepting CalFresh benefits must confirm that they offer a low-cost meal option and must sign an MOU with the county unless they are on a CSU campus outside of a county administering the program, then they must sign an MOU with DSS.^{xii} This MOU must be submitted with the federal application for authorization.^{xiii} Once enrolled in the RMP, a restaurant must have or obtain POS equipment that can process EBT transactions, and the equipment must include a personal identification number (PIN) pad. Restaurants are prohibited from charging sales tax or meal tax on prepared foods purchased with EBT food benefits, such as CalFresh or SNAP benefits. Restaurant participation in RMP is completely voluntary on behalf of the restaurant, however, if they chose to participate, they are required by law to comply with the requirements of the SNAP program including non-discrimination and equal treatment of SNAP consumers. With the enactment of AB 942, nothing has changed for currently participating restaurants. After the enactment of the bill, restaurants that wish to participate, but currently cannot because their county has chosen not to administer the RMP, will now have the option by entering into an MOU with DSS.

CalFresh RMP Improves Access to Food-Safe Prepared Meals for Poorest Californians

Recent expansions of CalFresh RMP over the past several years has offered meaningful access to food-safe prepared food to eligible Californians. For more information about the CalFresh RMP or Western Center's anti-hunger efforts, contact Jessica Bartholow at jbartholow@wclp.org or visit our website at www.wclp.org.

Endnotes

ⁱ A Primer on the Restaurant Meal Program in California, <https://wclp.org/wp-content/uploads/2016/11/YGA-12161-SNAP-doc1-1.pdf>

ⁱⁱ Peter Jackson & Angela Meah (2018) Re-assessing vulnerability to foodborne illness: pathways and practices, Critical Public Health, document higher rates of illness among people who are homeless. <https://www.tandfonline.com/doi/full/10.1080/09581596.2017.1285008>

ⁱⁱⁱ Information about California's CalFresh RMP can be found at: <http://www.ebtproject.ca.gov/ClientInformation/calfreshrmp.shtml> The ten counties participating in the restaurant meals program are Alameda County, Los Angeles County, Orange County, Riverside County, Sacramento County, San Diego County, San Francisco County, San Luis Obispo County, Santa Clara County, Santa Cruz County

^{iv} In June of 2019, California ended the ban on CalFresh for SSI recipients. More information about this policy change can be found here: <https://www.cdss.ca.gov/inforesources/calfresh/supplemental-security-income>

^v Text & analysis of AB 1747:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB1747

^{vi} AB 1747 (Weber, 2016) Implementation Guide: <https://wclp.org/wp-content/uploads/2016/10/AB-1747-Weber-Implementation-Guide-Colleges-in-RMP-Participating-Counties.pdf>. The DSS All County Letter can be found here: <https://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acl/2016/16-112.pdf>

^{vii} Text & analysis of AB 1894:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1894

^{viii} CSU Restaurant Meal Program Participation Guide, CSU Basic Needs Initiative, Office of the CSU Chancellor: https://www2.calstate.edu/impact-of-the-csu/student-success/basic-needs-initiative/Documents/CSU_RMP_Tips2019_REV1.pdf For more information about expanding access to Electronic Benefit Transfer (EBT) on college campuses through RMP and non-RMP grocery outlets, see "Strategies to reduce hunger on MA campuses: SNAP EBT access on public college campuses," by Yesenia Jimenez, Emerson Fellow, found online at: <https://www.hungercenter.org/publications/strategies-to-reduce-hunger-on-ma-campuses-snap-ebt-access-on-public-college-campuses/>

^{ix} Text and analysis of AB 612:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB612

^x Text and analysis of AB 942:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB942

^{xi} An example of the proposal and other requirements for the county are included in the All County Information Notice 1-31-04.

^{xii} CSU Restaurant Meal Program Participation Guide, CSU Basic Needs Initiative, Office of the CSU Chancellor: https://www2.calstate.edu/impact-of-the-csu/student-success/basic-needs-initiative/Documents/CSU_RMP_Tips2019_REV1.pdf

^{xiii} Meal Service Application, Form FNS-252-2