Equitable Rebuilding from COVID-19: Strengthening Protections for Families

May 27, 2021
How to Use WebEx Q & A

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Leveraging SNAP During the COVID-19 Pandemic and Beyond

May 27, 2021
Mathew Swinburne
Food Insecurity-Baseline

- Prior to COVID-19, 35.2 Million Americans were food insecure (2019).
  - National Average: 10.5%
  - White Americans: 7.9%
  - Hispanic Americans: 15.6%
  - Black Americans: 19.1%
  - Native American: 25%

- Food insecurity increases the risk for:
  - Coronary heart disease, Stroke, Cancer, Diabetes, Arthritis, Chronic Obstructive Pulmonary disease, Obesity, Depression, Suicidal Ideation, Poor academic performance, Impaired cognitive development, . . . .
The Challenge of COVID-19

- An estimated **70 million Americans** filed for unemployment as a result of the pandemic in 2020.

- In 2020, an estimated 45-50 million Americans experienced food insecurity.

- 2021 initial projections: 42 million Americans will experience food insecurity.

- **Recovery from COVID-19 economic recession not expected until end of 2023.**
SNAP: The Largest Nutrition Program

**Number of People**
- May 2021- 41.7 million (estimate)
- FY 2020- 39.9 Million
- FY 2019-35.7 Million (20-year low)

**Amount of Funding**
- As of May 2021-$41.2 Billion in Benefits
- FY 2020- $74.2 Billion in Benefits
- FY 2019-$55.6 Billion in Benefits
Economic Impact of SNAP

- During a weak economy, every additional SNAP dollar creates an additional $1.54 in economic activity.
- An additional billion dollars in SNAP funding supports 13,560 jobs.
  - Agriculture, transportation, manufacturing, food service, health care, . . . .
Measures to Strengthen SNAP: Pandemic and Beyond

1. Increase the value of the SNAP allotment (benefits).

2. Increase the number of people eligible for SNAP.
Increase the Value of the Benefits

Emergency Allotments (FFCRA)

- Normally amount of money is determined by income and number of people in a household.
- Emergency Allotment provision allows states to increase the amount of money given to a SNAP household regardless of income.
- Increase limited to the existing maximum allotment for a household of its size.
  - Example max for a household of 4 is $680/month*****
- Initial planned for two months (April/May 2020) but USDA has been granting 1-month extensions and plans to continue to do so as long as states qualify.
  - Federal emergency declaration, state emergency declaration, and data reports.
Initial Problems with the Emergency Allotment

- Initially ignored households with the lowest incomes because they already receive the maximum allotment—40% of SNAP households.
- Under normal conditions SNAP allotments are inadequate.
- IOM found that they failed to provide for a minimally adequate diet (failed to keep up with inflation).
- Food Research Action Center
  - Flawed Thrifty Food Plan: impractical food lists, lacks variety to meet dietary guidelines ignores special dietary needs, unrealistic assumptions regarding food availability and affordability….
Congress Increased the SNAP Allotment Temporarily

- Helps families who received no additional support from the Emergency Allotment Provision.
- Utilized in the past during Great Recession
  - Temporarily increased the maximum allotment by 13.6%.
  - Resulted in improved food security, health outcomes, decreased healthcare costs, and promoted economic growth ($40 billion).
- **Consolidated Appropriations Act of 2021**
  - Increased allotment for all households by 15%
  - 115% of the value of the thrifty meal plan
  - Slated to sunset June 30, 2021
  - **Maximum for a Family of 4**: $680/month to $782/month
- **The American Rescue Plan Act**, enacted in March 2021, extended this increase through September 2021.
- Better if the increased allotment was earmarked to actual economic recovery rather than a set date.
Enhanced Emergency Allotment (EEA)

- Presidential Executive Order on Economic Relief Related to the COVID-19 Pandemic (January 2021)
  - Directed Federal agencies to consider administrative actions to better address the current economic crisis.
- USDA releases new policy for Enhanced Emergency Allotments (4/1/21).
  - All households to get at least a $95 increase in benefits from emergency allotments.
    - Maximum for a Family of 4: $680/month to $782/month (15%) to $879/month (EEA)
  - Target lowest income families that were not helped by the original structure of the EA.
  - Policy will continue while the national emergency declaration is in place.
  - Also includes a phase-out provision.
Increasing Eligibility for SNAP

- **Able Bodied Adults without Dependents (ABAWD)**
  - Requires people 18-49 who can work and do not have dependents to meet special work requirements.
  - **FFCRA waived** it from April 1, 2020 through one month after the termination of the federal public health emergency declaration.
  - **Set expiration of COVID waiver to an economic recovery metric.**
  - Normally states can secure geographic waivers when there are poor economic conditions and offer individual exemptions.
Restrictive ABAWD Regulations Ruled Invalid

- In 2019, USDA changed ABAWD regulations.
- Estimated to remove 700,000 individuals from SNAP.
- Made it harder for states to qualify for geographic waivers and lessened their ability to grant individual exemptions.
- *District Columbia vs. USDA (October 2020)*
  - Struck down the regulations: failed notice and comment procedural requirements, arbitrary and capricious, and contrary to statutory mandate
- Decision appealed by the Trump Administration, but appeal dropped by the Biden Administration.
Repeal Ban on Individuals with Drug Felony Convictions

- Congress created the lifetime ban from SNAP in 1996
  - Disproportionately impacts people of color
  - Undermines food security of families
  - Creates barriers to reintegration
- States can pass legislation opting out of the ban or modifying it.
  - Only SC has full ban in place
  - However, 27 states still have a modified ban.
    - Disqualified after multiple convictions, Requires drug testing, Requires drug treatment, Post conviction/ release ineligibility period,….
- Marijuana Opportunity Reinvestment and Expungement Act (MORE Act)
  - Would have repealed ban for individuals with cannabis convictions
- President Biden’s-America’s Family Plan—would remove the ban completely.
Thank you for your time

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Meeting the Needs of Vulnerable and At-Risk School Age Children

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Co-Director of the Health Law Partnership Legal Services Clinic
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Framework Overview

WHAT?  SO WHAT?  NOW WHAT?
March 2020: Schools across the country closed to in-person instruction due to COVID-19

On-line instruction was quickly implemented

School Districts lacked comprehensive plans

School Districts were under-prepared

Emergency laws/policies not sufficient

Businesses, including bars and restaurants, were prioritized in reopening
SO WHAT?

- Education = most modifiable social determinant of health
- Significant implications for access to education
- Increase in already existing disparities in education
- Significant implications for basic services provided by schools, including mental health
- Long-term implications of school closures

Georgia State University | College of Law

Center for Law, Health & Society
Vulnerable and At-Risk Students

- Students in low-income communities
- Students who are racial minorities, particularly black and hispanic
- Students with disabilities and special needs
- Students who are LGBTQ
- Students in foster care
- Students experiencing homelessness or parental unemployment
- Students who are English Language Learners (ELL)
Actions

- Funding
- Professional development and training
- On-site vaccines and rapid testing
- Systems to support academic and SEL needs
- Equitable policies & practices
- School-based mental health centers (Project AWARE)
- Family engagement
- Community partnerships
- Long-term strategic planning centering equity
Federal Funding via Covid-19 relief plans

How Much Will Congress Spend to Shore Up Schools?

The Covid-19 relief plans before Congress all dedicate billions to stabilizing education budgets amid deep losses in state revenue. But the amounts vary from bill to bill.

### Federal Funding via Covid-19 Relief Plans

<table>
<thead>
<tr>
<th></th>
<th>CARES Act Signed into Law March 2020</th>
<th>Covid Relief Package Signed into Law December 2020</th>
<th>American Rescue Plan Signed into Law March 2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Education Total</td>
<td>$30.7 billion</td>
<td>$82 billion</td>
<td>$168 billion</td>
</tr>
<tr>
<td>K-12</td>
<td>$13.2</td>
<td>$54</td>
<td>$126</td>
</tr>
<tr>
<td>Higher Ed</td>
<td>$14</td>
<td>$22</td>
<td>$40</td>
</tr>
<tr>
<td>Governors</td>
<td>$3</td>
<td>$4</td>
<td>$2.7</td>
</tr>
</tbody>
</table>

### Per Pupil Dollars in Covid Relief Plans

The three Covid-19 relief packages that passed since March 2020 are delivering far more federal money than typically flows to K-12 schools through key federal budget sources.

- **CARES Act**
  - $270 per pupil
  - Passed March 2020
  - Obligated by September 2022

- **Title I/IDEA (2019-20)**
  - $640 per pupil
  - Annual allotment

- **CRRSA**
  - $1,100 per pupil
  - Passed Dec. 2020
  - Obligated by September 2023

- **American Rescue Plan**
  - $2,600 per pupil
  - Passed March 2021
  - Obligated by September 2024

*Estimates calculated by Edunomics Lab*
Thank you!

• Brooke Silverthorn
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COVID-19 Illuminates Need to Close the Digital Divide

May 27, 2021
Betsy Lawton
A Superdeterminant of Health

- Impacts all social determinants of health
  - Education
  - Economic Stability
  - Neighborhood and Built Environment
  - Health and Healthcare
  - Social and Community Context
“Every American should have affordable access to robust broadband service and the means and skills to subscribe if they so choose.”

FCC’s 2010 Connecting America: The National Broadband Plan
Measuring the Digital Divide

FCC 2019 Fixed Broadband Access and Adoption

Nationwide Access: 95.6%
- Urban: 98.8%
- Rural: 82.7%
- Tribal Lands: 79.1%
- Rural Tribal Lands: 64.5%

Nationwide Adoption: 69.4%
- Urban: 73.3%
- Non-Urban: 64.5%
- Tribal Lands: 46.5%
- Non-urban Tribal Lands: 40.6%
Disparities in Broadband Access

**Neighborhood Adoption Rates:**
- Black neighborhoods: 67%
- White neighborhoods: 84%

**Tribal lands:**
- No access to any fixed broadband: 32%
- Access to only one provider: 36%

**Education:**
- 16.9 million children lack home broadband:
  - > 30% of Black, Latino & Native American households with school-aged kids
  - Pre-pandemic 21% of Black students used public Wi-Fi to complete homework
» **COVID-19 Pandemic:**
  - Increased need for telehealth and educational access
  - Fewer opportunities to utilize broadband at libraries and school buildings
  - Economic consequences threaten household ability to continue to pay for service.
## Early Efforts

<table>
<thead>
<tr>
<th><strong>CARES Act</strong></th>
<th><strong>Universal Services Fund</strong></th>
<th><strong>Keep America Connected Pledge</strong></th>
</tr>
</thead>
</table>
| • $13 billion: Education agencies to support remote learning  
• $3 billion: Emergency education relief for states to improve remote learning  
• $200 million: Expand telehealth access  
• $50 million: Institute for Museum & Library Service for digital network access | • E-rate: waived gift prohibition & urged providers to offer free mobile hotspots and devices  
• Lifeline: eased application requirements and limited unenrollment  
• Healthcare Connect Fund: waived gift prohibition  
• Connected Care Pilot Program: support telehealth & home broadband for patients | • Voluntary commitments to waive late fees, not terminate service, open Wi-Fi hotspots (Expired on June 30, 2020)  
• Chairman Pai urged Congress to act to connect “doctors and patients, students and teachers, low-income families and veterans, those who have lost their jobs and livelihoods due to the pandemic and the accompanying lockdowns” |
Local Solutions

**Schools**
- Cities (like Chicago) offset cost of home broadband during the school year
- Localities outfit School Buses with Wifi Hotspots
- K-12 Bridge to Broadband Initiative

**Local Broadband**
- Arizona law authorizes electric cooperatives to provide broadband service
- Denver referendum to opt the city out of a state law that prevents municipalities from building broadband networks.
Was it enough?

**Lifeline Subscribers**

- Lifeline subscriber increased from 7.3 million in June 2020 to 9.1 million in April 2021
- 42% of applicants did not qualify for Lifeline benefit due to application errors or insufficient or lacking documentation.
- 27% of eligible households subscribe

**Remote Learning**

- State and school district efforts helped, but an estimated 12 million students remain underconnected, and
- many benefits that helped connect disconnected students will expire in the next few years.
Late 2020

The Consolidated Appropriations Act of 2021
short-term programs aimed at eliminating the digital divide, including:

- **Emergency Broadband Benefit**: $3.2 billion to offset broadband service costs (up to $50) for low-income households;
- **Connecting Minority Communities Pilot**: $285 million to support education and provide broadband service at Tribal and Historically Black Colleges and Universities;
- **Tribal Broadband Connectivity Program**: $1 billion in grants to Tribal governments to support broadband deployment and affordability programs; and
- **Rural broadband infrastructure**: $300 million
  
  (in addition to the $9.23 billion FCC allocated in December 2020, via it’s pre-pandemic Rural Digital Opportunity Fund, for rural broadband infrastructure for 5.2 million rural households and businesses).
Latest Efforts to Bridge Digital Divide

**Executive Order on Ensuring an Equitable Pandemic Response and Recovery**

FCC encouraged “to increase connectivity options for students lacking reliable home broadband, so that they can continue to learn if their schools are operating remotely.”

**E-rate funding for home broadband**

- FCC seek public comments on petitions seeking approval to use E-rate funds to be used for off-campus access to broadband services for students who lack home internet access
- American Rescue Plan Act: $7.1 billion to support remote learning through the E-rate program, can be used to purchase home broadband service for disconnected remote learners. Available until one year after the COVID-19 emergency ends.

**American Jobs Plan Proposal (in negotiations)**

- Proposes $100 billion to build broadband networks: 100% coverage goal, prioritize government, non-profit and cooperative networks
- Aims to move from long-term subsidies to promoting more affordable internet: increase competition, reduce barriers for municipal owned networks, and transparency in pricing.
## Actions for Change

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<th>Leverage Affordability Programs</th>
<th>Allow E-rate funds to support offsite (home) broadband</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Increase Lifeline discount to $50</td>
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<tr>
<td>FCC Oversight</td>
<td>Restore common carrier status, or</td>
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<td></td>
<td>Other oversight mechanism that allows FCC to move beyond voluntary response</td>
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<tr>
<td>Municipal Broadband</td>
<td>Support broadband provided by local public utilities, non-profits, and cooperatives</td>
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<tr>
<td></td>
<td>Eliminate/Bar state laws preempting municipal networks</td>
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Thank you for your time

Betsy Lawton
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Please feel free to send me an e-mail with any additional questions!

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COVID Illustrates Need to Close the Digital Divide: Part II (February 2021)
COVID-19 Illustrates Need to Close the Digital Divide (July 2020)
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Upcoming Webinar:
Equitable Rebuilding from COVID-19: Strengthening Protections for Communities
1:00 – 2:30 p.m. ET, June 22, 2021

Upcoming Events:
2021 Public Health Law Conference: Building and Supporting Healthy Communities for All
September 21 – 23, 2021 | Baltimore, MD