

WAIVER REQUEST

Hot Foods

1. **Type of Request:** Initial
2. **Primary Citation:** 7 CFR 271.2
3. **Secondary Regulation Citation:** N/A
4. **State:** Tennessee
5. **FNS Region:** SERO
6. **Act and Regulatory Requirements:** SNAP regulations define “eligible food” as, “...any food or food product intended for human consumption except alcoholic beverages, tobacco, and hot foods or hot food products ready for immediate consumption...”
7. **Proposed Alternative Procedures:** The Tennessee Department of Human Services (TDHS) is requesting a waiver to allow hot foods and hot food products prepared for immediate consumption to be considered “eligible foods” as long as they are purchased in FNS-authorized retail food stores for a limited time due to the impact of the COVID-19 pandemic. If approved, this policy would be applied from the date of approval until June 30, 2020, statewide.
8. **Justification for Request:** TDHS believes that the removal of this exception is necessary to avoid undue hardship for Tennessee citizens affected by the COVID-19 pandemic because many citizens have unmet food needs due to food shortages at grocery stores and supercenters. The Governor of Tennessee has also issued Executive Order 17 which called for businesses across the state to utilize alternative business models to protect vulnerable populations while doing everything possible to keep Tennesseans in a financially stable position.

Waiving the Act and regulation language that excludes the purchase of hot foods and hot food products prepared for immediate consumption will ensure that SNAP households most adversely affected by COVID-19 have the opportunity to have hot meals.
9. **Anticipated Impact on Households:** Allowing the purchase of hot foods will assist and provide critical relief to SNAP households most adversely affected by the COVID-19 pandemic to have hot, prepared meals.
10. **Affected Caseload:** TDHS is requesting that this waiver be applied to the approximately 404,931 SNAP households statewide.
11. **Anticipated Implementation Date and Time Period for Which Waiver is Needed:**
Upon approval and through June 30, 2020.
12. **Proposed Quality Control Procedures:** The proposal does not affect quality control sampling or procedures.

13. Signature and Title of Requesting Official:

Lisa A. Cowell

Lisa A. Cowell, Program Director

SNAP

Lisa A. Cowell, Program Director, SNAP

Print Name and Title

14. Date of Request: April 1, 2020