

CHILD NUTRITION PROGRAM STATE WAIVER REQUEST TEMPLATE

Child Nutrition Programs are expected to be administered according to all statutory and regulatory requirements; waivers to the requirements are exceptions. However, Section 12(l) of the Richard B. Russell National School Lunch Act, 42 U.S.C. 1760(l), provides authority for USDA to waive requirements for State agencies or eligible service providers under certain circumstances. When requesting the waiver of statutory or regulatory requirements for the Child Nutrition Programs (CNPs), including the Child and Adult Care Food Program (CACFP), the Summer Food Service Program (SFSP), the National School Lunch Program (NSLP), the Fresh Fruit and Vegetable Program (FFVP), the Special Milk Program (SMP), and the School Breakfast Program (SBP), State agencies and eligible service providers should use this template. State agencies and eligible service providers should consult with their FNS Regional Offices when developing waiver requests to ensure a well-reasoned, thorough request is submitted. State agencies and eligible service providers are encouraged to submit complete waiver requests at least 60 calendar days prior to the anticipated implementation date. Requests submitted less than 60 calendar days prior to the anticipated implementation should be accompanied by an explanation of extenuating circumstances.

For more information on requests for waiving Program requirements, refer to SP 15-2018, CACFP 12-2018, SFSP 05-2018, *Child Nutrition Program Waiver Request Guidance and Protocol- Revised*, May 24, 2018.

1. State agency submitting waiver request and responsible State agency staff contact information:

Coordinating Agency: Iowa Department of Health and Human Services
Partnering Agency: Iowa Department of Education

2. Region: MWRO

3. Eligible service providers participating in waiver and affirmation that they are in good standing:

Not applicable.

4. Description of the challenge the State agency is seeking to solve, the goal of the waiver to improve services under the Program, and the expected outcomes if the waiver is granted. [Section 12(l)(2)(A)(iii) and 12(l)(2)(A)(iv) of the NSLA]:

“7 CFR 271.1(a) Purpose of SNAP. SNAP is designed to promote the general welfare and to safeguard the health and well-being of the Nation’s population by raising the levels of nutrition among low-income households.” and “To alleviate hunger and malnutrition, SNAP permits low-income households to obtain a more nutritious diet...”

In May of 2025, Iowa HHS was granted a SNAP Food Restriction Waiver. The waiver restricts SNAP purchases of sugary drinks, candy, and some prepared foods. Iowa HHS is on track to implement the changes starting January 1, 2026. The waiver evaluation will measure purchases and behaviors, with a long-term goal of improving health outcomes and reducing obesity.

Iowa’s alternative procedure is to specify the definition of “any food or food product for home consumption” to mean “all nontaxable food items as defined by the Iowa Department of Revenue”. Iowa defines taxable and nontaxable food items in Chapter 423 of the Code of Iowa and Iowa Administrative Code chapter 701-220. In Iowa, sugar sweetened beverages with less than 50% juice and items designated as candy are taxable, as are seeds for food producing plants and food producing plants. Our approved SNAP waiver does continue to allow the purchase of seeds and plants.

Also in May of 2025, Iowa HHS received a grant from USDA to operate a demonstration project for summer 2025 called Healthy Kids Iowa. Healthy Kids Iowa provided food packages to families with children ages 4-18 each month for June, July and August. Iowa HHS is continuing to work with our evaluation partner to finalize the results of this project, which ended August 31, 2025. We successfully reached our target goal of 65,000 children during the three months of the project. Initial evaluation results show high satisfaction with the program as well as support for future implementation of SEBT.

The State of Iowa would like to align the waiver for SNAP Food Restrictions with the allowable purchases under the Summer EBT (SEBT) program within the state waiver. This alignment would help ensure consistency across both programs, reducing confusion for retailers and participants. Additionally, this alignment would support Iowa’s efforts to promote healthy food choices through SNAP and SEBT by streamlining program guidelines and reinforcing consistent messaging around healthy eating.

5. Specific Program requirements to be waived (include statutory and regulatory citations). :

42 U.S.C. §1762(b)(1)(A) Summer EBT benefits issued pursuant to subsection (a) by a State may only be used by the eligible household that receives such summer EBT benefits to purchase food (as defined in section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012)) from retail food stores that have been approved for participation in the supplemental nutrition assistance program established under such Act [7 U.S.C. 2011 et seq.] and in accordance with section 7(b) of such Act (7 U.S.C. 2016(b)) or in the nutrition assistance program in American Samoa, the Commonwealth of Puerto Rico, and the Commonwealth of the Northern Mariana Islands.

7 USC Ch. 51 §2012 (k) provides that SNAP recipients may purchase any food or food product for home consumption and seeds and plants to produce food at home. Additionally, there are provisions for certain populations of SNAP recipients to purchase prepared meals from appropriate facilities like senior centers, domestic violence centers, substance misuse centers, and homeless shelters. SNAP recipients are barred from purchasing alcoholic beverages, tobacco, and hot foods or hot food products ready for immediate consumption (unless authorized by specific provisions).

6. Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:

Iowa's proposed alternative procedure is to specify the definition of "any food or food product for home consumption" to mean "all nontaxable food items as defined by the Iowa Department of Revenue". Iowa defines taxable and nontaxable food items in Chapter 423 of the Code of Iowa and Iowa Administrative Code chapter 701-220. In Iowa, sugar sweetened beverages with less than 50% juice and items designated as candy are taxable,

Iowa's proposed alternative procedure makes no changes to the provisions that allow certain populations of SNAP recipients to purchase prepared meals from appropriate facilities like senior centers, domestic violence centers, substance misuse centers, and homeless shelters or to universally banned products.

It is not technologically possible to institute SEBT without restricting allowable purchases in the exact same manner as SNAP.

If this waiver is not approved, Iowa will not participate in Summer EBT.

7. Description of any steps the State has taken to address regulatory barriers at the State level. [Section 12(l)(2)(A)(ii) of the NSLA]:

No regulatory barriers are expected at the State level. Summer EBT agencies are working collaboratively to determine the forecasted program participation, anticipated administrative funding needs and other programmatic information.

8. Anticipated challenges State or eligible service providers may face with the waiver implementation:

No challenges are anticipated with waiver implementation.

9. Description of how the waiver will not increase the overall cost of the Program to the Federal Government. If there are anticipated increases, confirm that the costs will be paid from non-Federal funds. [Section 12(l)(1)(A)(iii) of the NSLA]:

The waiver will not increase the overall cost of the Summer EBT Program to the Federal Government.

10. Anticipated waiver implementation date and time period:

August 15, 2025 through full approval of the POM for Iowa's SEBT program.

11. Proposed monitoring and review procedures:

The Summer EBT agencies will monitor and review implementation of the waiver.

12. Proposed reporting requirements (include type of data and due date(s) to FNS):

The Summer EBT agencies will report on implementation including a description of how the waiver was implemented and its impact on program administration.

13. Link to or a copy of the public notice informing the public about the proposed waiver [Section 12(l)(1)(A)(ii) of the NSLA]:

The waiver will be posted along with a press release by 12/22/25:

<https://hhs.iowa.gov/assistance-programs/food-assistance/sun-bucks>

14. Signature and title of requesting official:

Title:

Date:

Requesting official's email address for transmission of response:

TO BE COMPLETED BY FNS REGIONAL OFFICE:

FNS Regional Offices are requested to ensure the questions have been adequately addressed by the State agency and formulate an opinion and justification for a response to the waiver request based on their knowledge, experience and work with the State.

Date request was received at Regional Office:

- Check this box to confirm that the State agency has provided public notice in accordance with Section 12(l)(1)(A)(ii) of the NSLA**

- **Regional Office Analysis and Recommendations:**