

**Health and Human Services Committee**

**LB169**

**February 7, 2019**

**Matthew T. Wallen, Director**  
**Division of Children and Family Services**  
**Department of Health and Human Services**

Good afternoon, Chairwoman Howard, and members of the Health and Human Services Committee. My name is Matt Wallen (M-A-T-T-W-A-L-L-E-N) and I am the Director of the Division of Children and Family Services in the Department of Health and Human Services (DHHS). I am here to testify in opposition to LB169, which amends state statutes related to the Supplemental Nutrition Assistance Program (SNAP) eligibility for drug felons.

As you are aware, LB169 would allow individuals with a felony conviction for the distribution or sale of a controlled substance to qualify for SNAP. In addition, only those with three or more convictions for the use or possession of a controlled substance, and have not completed substance abuse treatment, would remain ineligible for SNAP.

Under current law, individuals are ineligible for SNAP if they have received a conviction for drug distribution or drug sales or if they have fewer than three convictions for possession or use and have not completed treatment after conviction. Nebraska has the option to make these changes under federal statute.

In the last two years, DHHS has denied or closed an average of 658 SNAP participants related to drug felonies. Internal data shows that 75% of ineligible members are already part of a household receiving SNAP. While LB169 would allow more drug felons to qualify for SNAP, many would be added to households currently receiving benefits, thus increasing the monthly allotments already being issued.

DHHS supports citizens striving to overcome substance abuse. Furthermore, DHHS believes current statute strikes the right balance of ensuring program integrity, while giving those with substance abuse convictions a second chance. However, as a State agency, we have a duty to properly steward the tax dollars earned by the hard work of our neighbors. The Department cannot support a bill with the potential consequence of using those dollars to support others who choose to sell and distribute narcotics to the children and families in the communities we serve.

I'm happy to answer any questions you may have.