

ASSEMBLY RESOLUTION No. 242

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 5, 2021

Sponsored by:

Assemblywoman LISA SWAIN

District 38 (Bergen and Passaic)

Assemblywoman GABRIELA M. MOSQUERA

District 4 (Camden and Gloucester)

SYNOPSIS

Urges Congress to provide menstrual hygiene products under Medicaid, SNAP, and WIC programs.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/20/2021)

1 **AN ASSEMBLY RESOLUTION** urging the United States Congress to
2 expand certain federal safety net programs to provide menstrual
3 hygiene products.
4
5 **WHEREAS**, Approximately 13 percent of women in the United States
6 lived below the federal poverty level in 2018; and
7 **WHEREAS**, Ten percent of New Jersey women live in poverty,
8 according to data from Spotlight on Poverty and Opportunity; and
9 **WHEREAS**, “Period Poverty” is defined as inadequate access to
10 menstrual hygiene products and education, clean toilets, and
11 handwashing facilities; and
12 **WHEREAS**, The average menstruator spends approximately \$9 per
13 month, or \$1,964 over the course of a lifetime, on menstrual
14 hygiene products; and
15 **WHEREAS**, Federal statute and regulations prohibit federal safety net
16 programs for low-income individuals, such as Medicaid, the
17 Supplemental Nutrition Assistance Program (SNAP), and the
18 Special Supplemental Nutrition Program for Women, Infants, and
19 Children (WIC) from providing free menstrual hygiene products to
20 enrollees; and
21 **WHEREAS**, As a result, many low-income menstruators are faced with
22 a difficult choice each month between purchasing food or menstrual
23 hygiene products; and
24 **WHEREAS**, In 2020, 66 percent of low income women surveyed
25 reported that they were unable to afford menstrual hygiene products
26 at some point during the previous year, while 20 percent of these
27 respondents faced this problem on a monthly basis; and
28 **WHEREAS**, Research funded by menstrual pad manufacturer Always
29 shows that 20 percent of school-aged menstruators have left school
30 early or missed school days because they lacked access to
31 menstrual hygiene products; and
32 **WHEREAS**, Without the financial resources to purchase menstrual
33 hygiene products, menstruators often resort to such alternatives as
34 toilet paper, paper towels, diapers, socks, or rags; and
35 **WHEREAS**, Some menstruators, lacking access to menstrual hygiene
36 products, are forced to extend the length of time that they use a
37 tampon or pad, or reuse a soiled pad, thereby risking infection and,
38 potentially, toxic shock syndrome; and
39 **WHEREAS**, Since the start of the coronavirus 2019 pandemic,
40 nonprofit organizations that distribute free menstrual hygiene
41 products have reported increases in requests for donated products as
42 families face financial struggles due to pandemic-related job losses
43 and reduced hours of employment, and as school closings have
44 deprived some menstruators of menstrual hygiene products
45 previously provided by teachers or school nurses; now, therefore,
46
47 **BE IT RESOLVED** *by the General Assembly of the State of New*
48 *Jersey:*

1 1. This House respectfully urges the United States Congress to
2 pass legislation requiring the Medicaid program, the Supplemental
3 Nutrition Assistance Program (SNAP), the Special Supplemental
4 Nutrition Program for Women, Infants, and Children (WIC), and
5 any other applicable federal safety-net program to include
6 menstrual hygiene products among the covered benefits for all
7 eligible menstruators.

2. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly to the President of the United States, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, the Minority Leaders of both chambers of Congress, the United States Secretary of Health and Human Services, and each member of Congress elected from New Jersey.

STATEMENT

This resolution urges the United States Congress to pass legislation expanding the federal Medicaid program, the Supplemental Nutrition Assistance Program (SNAP), the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), and any other relevant federal safety-net program to include menstrual hygiene products among the covered benefits for all eligible menstruators. The coronavirus 2019 (COVID-19) pandemic has only exacerbated our nation's period poverty problems. Organizations that donate free menstrual hygiene supplies have noted a sharp increase in demand since March 2020, as families have struggled with pandemic-related unemployment, and school closings have prevented young menstruators from accessing menstrual hygiene products from teachers or school nurses.

Pursuant to federal statute and regulations, federal safety-net programs, such as Medicaid, SNAP, and WIC, do not include menstrual hygiene products among the benefits offered to low-income individuals. As a result, a significant number of low-income individuals regularly have to choose between purchasing menstrual hygiene products or food for themselves and their families. Moreover, the lack of access to affordable menstrual hygiene products has a profound impact on young menstruators, many of whom have had to miss school when they cannot afford the supplies needed to manage their menstrual period.

Menstruators who are unable to afford menstrual hygiene products typically use other absorbent materials to manage their menstruation, including toilet paper, paper towels, diapers, socks, and rags. Other low-income menstruators try to extend the length of time that they use a tampon or pad. However, both of these

1 solutions put menstruators at higher risk of infection and toxic
2 shock syndrome.

3 During the 116th Congress, several bills concerning the
4 accessibility of menstrual hygiene products were introduced in the
5 House of Representatives. Rep. Grace Meng (D-NY) introduced
6 the “Menstrual Equity for All Act of 2019” (H.R. 1882), which,
7 among other requirements, mandated coverage of menstrual
8 hygiene products under the federal Medicaid program. Rep. Bobby
9 Rush (D-IL) introduced the “SNAP PLUS Act of 2020”
10 (H.R.7271), which would permit SNAP benefits to be used to
11 purchase personal hygiene items, including menstrual hygiene
12 products. However, none of these bills was passed during the 116th
13 Congress.