

## CHAPTER 34 GROCERY DELIVERY PROGRAM

### § 34-01. Grocery delivery program.

- (a) *Definitions.* For purposes of this section, the following terms have the following meanings:  
The term “food insecurity” means that within the 12 months preceding application for enrollment or re-enrollment in the Program, the household had low or very low food security characterized by:
- (1) Reduced quality, variety, and desirability of their diet, but the quantity of food intake and normal eating patterns were not substantially disrupted; or
  - (2) At times during the year, eating patterns of one or more household members were disrupted and food intake reduced because the household lacked money and other resources for food.
- The term “household” means everyone who lives at the same address.  
The term “Program” means the Groceries to Go Program described in this section.
- (b) *Groceries to Go Program.* An individual may apply for enrollment in the Groceries to Go Program to receive credits that can be redeemed for online grocery purchases, including service fees, tips, and delivery to the household of such individual. The individual may apply for enrollment by calling the Department at the number posted on the Department’s website.
- (c) *Eligibility criteria.* Only one individual per household may be enrolled in the Program at any time. The Program will not accept applications from more than one individual at the same address. The Program will only be available to individuals that meet all of the following eligibility criteria:
- (i) The individual is a Health and Hospitals New York City Care Member;
  - (ii) The individual reports diagnosis of hypertension or diabetes;
  - (iii) The individual reports having household food insecurity;
  - (iv) The individual is a New York City resident; and
  - (v) For individuals removed from the Program after 18 cumulative months of Program participation, at least 18 months have elapsed following such individual’s removal.
- (d) *Program credits.* Program credits will be allocated as follows:
- (i) A household of one or two people will receive \$110 per month, or the maximum portion thereof that would bring such household’s Program account balance up to a maximum of \$330;
  - (ii) A household of three or more people will receive \$270 per month, or the maximum portion thereof that would bring such household’s Program account balance up to a maximum of \$810;
  - (iii) The program credits will be eligible to be used for food categories posted on the Department’s website. The Department will consider promotion of overall health when determining such categories.
- (e) *Ordering platform.* Program enrollees will be able to use Program credits by ordering groceries through an online ordering platform using an active email address provided by the enrollee at the time of enrollment. Enrollees that require a reasonable accommodation to access the online ordering platform may contact the Department at the number provided at the time of enrollment.
- (f) *Enrollment capacity subject to available resources.* Enrollment capacity for applicants of the Program is on a first-come, first-serve basis among eligible New Yorkers. Enrollment capacity is subject to resource availability as determined by the Department.

- (g) *Enrollment renewal.* Enrollment eligibility of individuals in the Program will be reviewed by the Department every six months. Individuals will need to re-attest every six months that they meet each element of the eligibility criteria set forth in subdivision (c) of this section.
- (h) *Removal.* The Department may remove an individual from the Program for the following reasons:
  - (i) the individual is no longer eligible;
  - (ii) the individual has participated in the Program for 18 cumulative months without a subsequent break from the Program of at least 18 consecutive months;
  - (iii) inactivity for three consecutive months; or
  - (iv) non-compliance with this section or established vendor policies. Individuals may also be removed at any time upon their request. The Department will provide written notice to the individual that they will be removed from the Program stating the reason for removal. An individual may object to such removal by submitting an objection in writing to the Commissioner or his or her designee within 10 calendar days of receipt of the notice, if received by e-mail or fax, or 15 days if received by mail. The objection will be reviewed and the individual will be notified of the Department's determination regarding the removal of the individual from the Program. Such determination constitutes a final agency action.
- (i) Nothing in this section shall be construed as granting any individual that meets the eligibility criteria provided in subdivision (c) of this section a right to receive credits to purchase food for delivery under this Program. Program funding for the purchase and delivery of groceries provided for under this Chapter is subject to availability.
- (j) The Program provided for under this section will terminate on such date as determined by the Department.