

110TH CONGRESS
1ST SESSION

H. R. 45

To authorize the Secretary of Agriculture to make grants to community-based organizations and local redevelopment agencies operating in low-income communities to promote increased access to and consumption of fresh fruits, fresh vegetables, and other healthy foods among residents of such communities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2007

Ms. VELÁZQUEZ (for herself, Mr. SERRANO, Mr. CROWLEY, and Mr. TOWNS) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To authorize the Secretary of Agriculture to make grants to community-based organizations and local redevelopment agencies operating in low-income communities to promote increased access to and consumption of fresh fruits, fresh vegetables, and other healthy foods among residents of such communities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Healthy Foods for
3 Healthy Living Act”.

4 **SEC. 2. DEPARTMENT OF AGRICULTURE GRANTS TO PRO-**
5 **MOTE GREATER CONSUMPTION OF FRESH**
6 **FRUITS, FRESH VEGETABLES, AND OTHER**
7 **HEALTHY FOODS IN LOW-INCOME COMMU-**
8 **NITIES.**

9 (a) GRANTS AUTHORIZED.—The Secretary of Agri-
10 culture may make grants for the purposes specified in sub-
11 section (b) to any of the following:

12 (1) A community-based organization operating
13 in a low-income community.

14 (2) A local redevelopment agency that is char-
15 tered, established, or otherwise sanctioned by a
16 State or local government.

17 (b) USE OF GRANT AMOUNTS.—The recipient of a
18 grant under this section shall use the grant amounts for
19 one or more of the following activities:

20 (1) To assist in purchasing appropriate equip-
21 ment or in hiring and training personnel to expand
22 the inventory of fresh fruits and vegetables or other
23 healthy food alternatives, as defined by the Depart-
24 ment of Agriculture, such as healthier dairy and
25 non-dairy to whole milk alternatives, 100 percent
26 pure fruit juices, and products with 0 grams of

1 transfat, available for residents of a low-income com-
2 munity.

3 (2) To carry out consumer education and out-
4 reach activities to encourage the purchase of prod-
5 ucts described in paragraph (1), such as by inform-
6 ing residents of a low-income communities about the
7 health risks associated with high-calorie, low-exercise
8 lifestyles and the benefits of healthy living.

9 (c) MAXIMUM GRANT.—A grant under this section
10 may not exceed \$100,000.

11 (d) COMMUNITY-BASED ORGANIZATION DEFINED.—
12 In this section, the term “community-based organization”
13 includes schools, day-care centers, senior centers, commu-
14 nity health centers, food banks, or emergency feeding or-
15 ganizations.

16 (e) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated to the Secretary to carry
18 out this section \$5,000,000 for fiscal year 2008.

19 **SEC. 3. COVERAGE OF ADDITIONAL PRIMARY CARE AND**
20 **PREVENTIVE SERVICES UNDER THE MEDI-**
21 **CARE AND MEDICAID PROGRAMS.**

22 (a) MEDICARE PROGRAM.—

23 (1) IN GENERAL.—Section 1861 of the Social
24 Security Act (42 U.S.C. 1395x) is amended—

1 (A) in subsection (s)(2), by adding at the
2 end the following new subparagraph:

3 “(BB) additional primary and preventive
4 services described in subsection (ccc);” and

5 (B) by adding at the end the following new
6 subsection:

7 “Additional Primary and Preventive Services

8 “(ccc) The term ‘additional primary and preventive
9 services’ means such primary and preventive services that
10 are not otherwise covered under this title as the Secretary
11 shall specify when provided by qualified providers, as spec-
12 ified by the Secretary. Such term includes the following:

13 “(1) Services for the prevention and treatment
14 of obesity and obesity-related disease.

15 “(2) Supervised exercise sessions.

16 “(3) Exercise stress testing for the purpose of
17 exercise prescriptions.

18 “(4) Lifestyle health improvement education.

19 “(5) Culinary arts education for the purpose of
20 promoting proper nutrition.”.

21 (2) CONFORMING AMENDMENTS.—(A) Section
22 1862(a)(1) of such Act (42 U.S.C. 1395y(a)(1)) is
23 amended—

24 (i) by striking “and” at the end of sub-
25 paragraph (M);

1 (ii) by adding “and” at the end of sub-
2 paragraph (N); and

3 (iii) by adding at the end the following new
4 subparagraph:

5 “(O) in the case of additional primary care
6 and preventive services, which are performed
7 more frequently than the Secretary may speci-
8 fy;”.

9 (B) Section 1833(b)(5) of such Act (42 U.S.C.
10 13951(b)(5)) is amended by inserting “or additional
11 primary care or preventive services (as defined in
12 section 1861(ccc))” after “(jj)”.

13 (b) MEDICAID PROGRAM.—Section 1905(a) of the
14 Social Security Act (42 U.S.C. 1396d(a)) is amended—

15 (1) by striking “and” at the end of paragraph
16 (27);

17 (2) by redesignating paragraph (28) as para-
18 graph (29); and

19 (3) by inserting after paragraph (27) the fol-
20 lowing new paragraph:

21 “(28) additional primary care and preventive
22 services (as defined in section 1861(ccc)) which are
23 not otherwise covered under this subsection; and”.

24 (c) EFFECTIVE DATE.—The amendments made by
25 this section shall take effect on the first day of the first

- 1 calendar quarter beginning after the date of the enactment
- 2 of this Act, regardless of whether regulations to implement
- 3 the amendments are in effect as of such date.

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