

112TH CONGRESS  
1ST SESSION

# H. R. 3291

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.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 1, 2011

Ms. VELÁZQUEZ introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees 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

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## 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 that oper-  
13 ates in a low-income community and carries out one  
14 or both of the activities described in subsection (b),  
15 as determined by the Secretary.

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

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

22 (1) To assist in purchasing appropriate equip-  
23 ment or in hiring and training personnel to expand  
24 the inventory of fresh fruits and vegetables or other  
25 healthy food alternatives, as defined by the Depart-  
26 ment of Agriculture, such as healthier dairy and

1 non-dairy alternatives to whole milk, 100 percent  
2 pure fruit juices, and products with 0 grams of  
3 transfat, available for residents of a low-income com-  
4 munity.

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

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

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

18 (e) AUTHORIZATION OF APPROPRIATIONS.—There is  
19 authorized to be appropriated to the Secretary to carry  
20 out this section \$5,000,000 for fiscal year 2012.

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

24 (a) MEDICARE PROGRAM.—

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

4                   (A) by adding at the end of paragraph (1)  
5           the following:

6           “Such term also includes the primary care and pre-  
7           ventive services described in paragraph (4).”; and

8                   (B) by adding at the end the following new  
9           paragraph:

10          “(4) The primary care and preventive services de-  
11         scribed in this paragraph are the following, insofar as they  
12         are not otherwise covered under this title, when provided  
13         by qualified providers:

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

16                   “(B) Supervised exercise sessions.

17                   “(C) Exercise stress testing for the purpose of  
18         exercise prescriptions.

19                   “(D) Lifestyle health improvement education.

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

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

1 (i) by striking “and” at the end of sub-  
2 paragraph (O);

3 (ii) by adding “and” at the end of sub-  
4 paragraph (P); and

5 (iii) by adding at the end the following new  
6 subparagraph:

7 “(Q) in the case of additional primary care  
8 and preventive services described in section  
9 1861(ddd)(4), which are performed more fre-  
10 quently than the Secretary may specify;”.

11 (B) The first sentence of section 1833(b)(1) of  
12 such Act (42 U.S.C. 1395l(b)(1)) is amended by  
13 striking “for preventive services” and all that follows  
14 through “for the individual” and inserting “for addi-  
15 tional preventive services (as defined in section  
16 1861(ddd))”.

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

19 (1) by striking “and” at the end of paragraph  
20 (28);

21 (2) by redesignating paragraph (29) as para-  
22 graph (30); and

23 (3) by inserting after paragraph (28) the fol-  
24 lowing new paragraph:

1           “(29) additional preventive services (as defined  
2           in section 1861(ddd)(1)) which are not otherwise  
3           covered under this subsection; and”.

4           (c) EFFECTIVE DATE.—The amendments made by  
5           this section shall take effect on the first day of the first  
6           calendar quarter beginning after the date of the enactment  
7           of this Act, regardless of whether regulations to implement  
8           the amendments are in effect as of such date.

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