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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4820

03/11/2024 Authored by Bierman, Reyer, Her, Jordan and Olson, L., The bill was read for the first time and referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to health; transferring the Healthy Eating, Here at Home Program from
1.3 the Minnesota Humanities Center to the Department of Health; establishing the
1.4 fresh bucks pilot program; requiring a report; appropriating money; proposing
1.5 coding for new law in Minnesota Statutes, chapter 144.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. [144.0532] FRESH BUCKS PILOT PROGRAM.

1.8 Subdivision 1. Establishment. (a) The Fresh Bucks pilot program is established to help
1.9 Minnesotans participating in the Supplemental Nutrition Assistance Program (SNAP)
1.10 purchase fresh produce from retailers to support a more nutritious diet.

1.11 (b) Eligible households shall be able to use the household EBT card at retailers to receive
1.12 a dollar-for-dollar match on the purchase of produce, up to a \$20 match per day, per eligible
1.13 household, with a monthly limit of \$80 per eligible household, until program funds are
1.14 depleted.

1.15 Subd. 2. Definitions. (a) For purposes of this section, the terms in this subdivision have
1.16 the meanings given.

1.17 (b) "Department" means the Department of Health.

1.18 (c) "Eligible households" means Minnesota households that meet Minnesota SNAP
1.19 eligibility requirements under section 256D.60.

1.20 (d) "Nonprofit organization" means a nonprofit organization chosen by the Department
1.21 of Health to assist with the administration of the program.

2.1 (e) "Produce" means fresh whole or cut fruits and vegetables without added sugars, fats,
2.2 oils, or sodium.

2.3 (f) "Program" means the Fresh Bucks pilot program.

2.4 (g) "Retailer" includes but is not limited to grocery stores, small-food retailers, and gas
2.5 stations that have been selected to participate in the program.

2.6 Subd. 3. **Program administration.** (a) A nonprofit organization, under the review and
2.7 guidance of the Department of Health, shall implement the program as follows:

2.8 (1) develop and issue program guidelines, create a process for selecting retailers using
2.9 the criteria identified in subdivision 4, and begin accepting applications for the program by
2.10 September 1, 2024;

2.11 (2) establish monitoring and accountability mechanisms to ensure that funds from the
2.12 program are used to support the purposes of the program;

2.13 (3) establish a reimbursement system for retailers in a timely manner, considering any
2.14 specific needs or circumstances of the retailer based on size or other factors;

2.15 (4) regularly monitor the balance of program funds to ensure that in no instance shall
2.16 retailer reimbursements, combined with other program-related expenses, exceed \$1,000,000;
2.17 and

2.18 (5) develop additional guidelines to implement the program as the commissioner deems
2.19 reasonable.

2.20 (b) Either the department or the nonprofit organization may enter into contractual
2.21 agreements with retailers, or any other entities, to perform the activities specified in this
2.22 section.

2.23 (c) The program shall end when the appropriated funds have been depleted, unless
2.24 additional funds are appropriated to continue the program.

2.25 Subd. 4. **Retailer selection criteria.** (a) To be eligible to participate in the program,
2.26 retailers must meet the following minimum criteria:

2.27 (1) accept expenditures of benefits provided by SNAP in accordance with the Food
2.28 Stamp Act, United States Code, title 7, chapter 51, section 2011, et seq. and be in good
2.29 standing with SNAP;

2.30 (2) demonstrate the capacity to successfully implement the program;

3.1 (3) agree to begin offering the program to eligible households no later than 90 days from
 3.2 the date the retailer received notice of approval to participate in the program;

3.3 (4) agree to comply with all data collection and reporting requirements established by
 3.4 the department or the nonprofit organization;

3.5 (5) agree to cooperate with efforts to market the program; and

3.6 (6) agree to cooperate with any audit or investigation by the nonprofit organization,
 3.7 Department of Health, or any state agency implemented to protect against the fraudulent
 3.8 use of funds under this section.

3.9 (b) The department and nonprofit organization may also consider the following additional
 3.10 criteria:

3.11 (1) the geographic diversity of the participating retailer and the retailer's participating
 3.12 stores; and

3.13 (2) any other criteria that the Department of Health or the nonprofit organization
 3.14 determines to be consistent with the purposes of this section.

3.15 Subd. 5. **Waiver request.** The commissioner of human services must submit a waiver
 3.16 request to the United States Department of Agriculture seeking approval for the inclusion
 3.17 of retailers in this program so SNAP participants may receive a discount for produce.

3.18 Subd. 6. **Legislative report.** By, the department, in cooperation with the nonprofit
 3.19 organization in subdivision 3 and any other entity with which they contract, shall submit a
 3.20 report to the chairs and ranking members of the committees with jurisdiction over health
 3.21 on:

3.22 (1) the number of retailers participating and their geographic distribution;

3.23 (2) the demographics of the areas and individuals served;

3.24 (3) the costs of the program; and

3.25 (4) any other information the department determines to be helpful or relevant to
 3.26 understanding the reach and effectiveness of the program.

3.27 **EFFECTIVE DATE.** This section is effective the day following final enactment.

3.28 Sec. 2. **TRANSFER; HEALTHY EATING, HERE AT HOME PROGRAM.**

3.29 \$500,000 appropriated in fiscal year 2025 under Laws 2023, chapter 62, article 1, section
 3.30 26, is transferred from the Minnesota Humanities Center to the Department of Health for
 3.31 the Healthy Eating, Here at Home Program. Any other funds remaining in an account for

4.1 the Healthy Eating, Here at Home Program must transfer to the Department of Health for
4.2 the purposes of the program.

4.3 **Sec. 3. APPROPRIATION; FRESH BUCKS PROGRAM.**

4.4 \$1,000,000 in fiscal year 2025 is appropriated for the Fresh Bucks pilot program under
4.5 Minnesota Statutes, section 144.0532. No more than four percent of the appropriation may
4.6 be used for the nonprofit administration of the program. This is a onetime appropriation
4.7 and is available until

4.8 **EFFECTIVE DATE.** This section is effective the day following final enactment.

4.9 **Sec. 4. REVISOR INSTRUCTION.**

4.10 The revisor of statutes shall renumber section 138.912 as 144.0531 and shall delete
4.11 "Humanities Center" and insert "Department of Health" where "Humanities Center" occurs
4.12 in section 138.912, subdivisions 2, 3, and 6.

4.13 **EFFECTIVE DATE.** This section is effective the day following final enactment.