

118TH CONGRESS  
1ST SESSION

# H. R. 4856

To amend the Food, Conservation, and Energy Act of 2008 with respect to the Gus Schumacher Nutrition Incentive Program and the sustainability of such program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2023

Mr. CRAWFORD (for himself and Mr. KILDEE) introduced the following bill;  
which was referred to the Committee on Agriculture

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## A BILL

To amend the Food, Conservation, and Energy Act of 2008 with respect to the Gus Schumacher Nutrition Incentive Program and the sustainability of such program, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “GusNIP Expansion  
5 Act of 2023”.

1 **SEC. 2. IMPROVING THE FINANCING OF THE GUS**  
2 **SCHUMACHER NUTRITION INCENTIVE PRO-**  
3 **GRAM.**

4 (a) **FOOD INSECURITY NUTRITION INCENTIVE**  
5 **GRANTS.**—Section 4405(b) of the Food, Conservation,  
6 and Energy Act of 2008 (7 U.S.C. 7517(b)) is amended—

7 (1) in paragraph (1)(C), by striking “50” and  
8 inserting “80”; and

9 (2) by adding at the end the following:

10 “(3) **COOPERATIVE AGREEMENTS TO SCALE**  
11 **STATEWIDE INCENTIVE PROGRAMS.**—

12 “(A) **IN GENERAL.**—For the purposes of  
13 scaling existing incentive programs under para-  
14 graphs (1) and (2), the Secretary shall establish  
15 cooperative agreements between—

16 “(i) eligible entities and the Food and  
17 Nutrition Service or the National Institute  
18 of Food and Agriculture (or both); and

19 “(ii) either—

20 “(I) a State SNAP agency; or

21 “(II) a non-profit or local govern-  
22 ment in partnership with a State  
23 SNAP agency.

24 “(B) **CRITERIA.**—Each agreement entered  
25 into pursuant to this paragraph—

26 “(i) shall—

1                   “(I) be for a duration of at least  
2                   4 years;

3                   “(II) include a requirement that  
4                   any project carried out pursuant to  
5                   the agreement be subject to the cri-  
6                   teria and priorities under paragraphs  
7                   (1) and (2); and

8                   “(III) require that before the end  
9                   of the agreement, at least 90 percent  
10                  of the funds received pursuant to the  
11                  agreement are spent on redeemed in-  
12                  centives at the eligible retailer; and

13                  “(ii) may only be entered in to with  
14                  an entity that previously received a grant  
15                  under this subsection.

16                  “(C) PRIORITY.—The Secretary shall  
17                  prioritize cooperative agreements under this  
18                  paragraph—

19                         “(i) in the same manner as projects  
20                         under paragraph (2); and

21                         “(ii) that work in a variety of retail  
22                         settings, including independent retailers  
23                         and farmers markets.”.

1 (b) PRODUCE PRESCRIPTION PROGRAM.—Section  
2 4405(c) of the Food, Conservation, and Energy Act of  
3 2008 (7 U.S.C. 7517(c)) is amended—

4 (1) by amending paragraph (1) to read as fol-  
5 lows:

6 “(1) IN GENERAL.—The Secretary shall estab-  
7 lish—

8 “(A) a pilot grant program under which  
9 the Secretary shall award grants to eligible en-  
10 tities to conduct projects that demonstrate and  
11 evaluate the impact of the projects on—

12 “(i) the improvement of dietary health  
13 through increased consumption of fruits  
14 and vegetables;

15 “(ii) the reduction of individual and  
16 household food insecurity; and

17 “(iii) the reduction in healthcare use  
18 and associated costs; and

19 “(B) a grant program described in sub-  
20 paragraph (A) that has a demonstrated ability  
21 to expand clinical research on the value of deliv-  
22 ering the program through clinical practice.”;

23 (2) in paragraph (3), by adding at the end the  
24 following:

25 “(C) CRITERIA.—

1                   “(i) SEEDING INFRASTRUCTURE  
2 GRANTS.—The Secretary shall establish  
3 criteria for awarding grants under para-  
4 graph (1)(A) that—

5                   “(I) study previously unknown  
6 facts about the program design;

7                   “(II) establish or validate best  
8 practices; or

9                   “(III) establish infrastructure  
10 that aids community health centers  
11 and independent produce retail out-  
12 lets.

13                   “(ii) EXPANSION GRANTS.—The Sec-  
14 retary shall establish criteria for awarding  
15 grants under paragraph (1)(B) that  
16 have—

17                   “(I) a minimum intervention co-  
18 hort of 300 patients;

19                   “(II) a matched group or have  
20 demonstrated the ability to scale when  
21 delivered through clinical practice;  
22 and

23                   “(III) an intervention duration of  
24 12 months or longer.”; and

25                   (3) by adding at the end the following:

1           “(6) RANGE OF AWARDS.—The amount of a  
2 grant awarded—

3           “(A) under subsection (c)(1)(A) shall be  
4 not less than \$100,000 and not more than  
5 \$400,000; and

6           “(B) under subsection (c)(1)(B) shall be  
7 not less than \$1,000,000 and not more than  
8 \$2,500,000.

9           “(7) REPORT.—Not later than 3 years after the  
10 date of the enactment of this Act, the Secretary, in  
11 consultation with the Comptroller General of the  
12 United States, the Secretary of Health and Human  
13 Services, the Administrator of the Centers for Medi-  
14 care and Medicaid Services, and any other relevant  
15 agency head, shall conduct a study and issue rec-  
16 ommendations on how to transition payment for the  
17 produce prescription program to health insurance  
18 programs not later than 10 years of after the date  
19 of the enactment of the GusNIP Expansion Act of  
20 2023.

21           “(8) REVIEW PANEL.—Not later than 1 year of  
22 the date of enactment of the GusNIP Expansion Act  
23 of 2023, the Secretary shall establish a review panel  
24 to review grant applications under this subsection.”.

1 (c) FUNDING.—Section 4405(f) of the Food, Con-  
2 servation, and Energy Act of 2008 (7 U.S.C. 7517(f)) is  
3 amended—

4 (1) in paragraph (1), by striking “2023” and  
5 inserting “2028”;

6 (2) in paragraph (2)—

7 (A) in subparagraph (F), by striking  
8 “and” at the end;

9 (B) in subparagraph (G), by striking “and  
10 each fiscal year thereafter.” and inserting “;  
11 and”;

12 (C) by adding at the end the following:

13 “(H) \$57,500,000 for fiscal years 2024  
14 through 2028; and

15 “(I) \$56,000,000 for fiscal year 2029 and  
16 each fiscal year thereafter.”;

17 (3) in paragraph (3)—

18 (A) in the matter preceding subparagraph  
19 (A), by striking “2023” and inserting “2028”;

20 (B) in subparagraph (A), by striking the  
21 semicolon and inserting: “—

22 “(i) 50 percent of such funds shall be  
23 used for pilot grants described in sub-  
24 section (c)(1)(A); and

1           “(ii) 50 percent of such funds shall be  
2           used for grant programs described in sub-  
3           section (c)(1)(B);”;

4           (C) in subparagraph (C)—

5           (i) in clause (i), by striking “and” at  
6           the end;

7           (ii) in clause (ii), by striking the pe-  
8           riod at the end and inserting “; and”; and

9           (iii) by adding at the end the fol-  
10          lowing:

11          “(iii) \$12,000,000 for each of the fis-  
12          cal years 2024 through 2028; and”; and

13          (D) by adding at the end the following:

14          “(D) the Secretary shall use 80 percent of  
15          remaining funds for cooperative agreements  
16          under subsection (b) of this section.”.

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