

115TH CONGRESS  
1ST SESSION

# H. R. 1143

To amend the Public Health Service Act to address the increased burden that maintaining the health and hygiene of infants and toddlers places on families in need, the resultant adverse health effects on children and families, and the limited child care options available for infants and toddlers who lack sufficient diapers.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 2017

Mr. ELLISON (for himself, Ms. DELAURO, Mr. CONYERS, Mr. NADLER, Ms. NORTON, and Ms. MICHELLE LUJAN GRISHAM of New Mexico) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Public Health Service Act to address the increased burden that maintaining the health and hygiene of infants and toddlers places on families in need, the resultant adverse health effects on children and families, and the limited child care options available for infants and toddlers who lack sufficient diapers.

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 “Hygiene Assistance  
5 for Families of Infants and Toddlers Act of 2017”.

1 **SEC. 2. IMPROVING OPPORTUNITY DIAPER DISTRIBUTION**  
2 **DEMONSTRATION PROJECT.**

3 Part P of title III of the Public Health Service Act  
4 (42 U.S.C. 280g et seq.) is amended by adding at the end  
5 the following:

6 **“SEC. 399V-7. DIAPER DISTRIBUTION DEMONSTRATION**  
7 **PROJECT.**

8 “(a) IN GENERAL.—The Secretary, acting through  
9 the Administration for Children and Families, shall make  
10 grants to eligible entities to conduct demonstration  
11 projects that implement and evaluate strategies to help  
12 families with eligible children to address the diapering  
13 needs of such children.

14 “(b) USE OF FUNDS.—Amounts provided through a  
15 grant under this section shall be used to—

16 “(1) fund diaper distribution demonstration  
17 projects that will reduce the substantial cost of dia-  
18 pers and diapering supplies by making diapers and  
19 diapering supplies available to low-income families;

20 “(2) evaluate the effects of such demonstration  
21 projects on mitigating health risks, including diaper  
22 dermatitis, urinary tract infections, and increased  
23 rates of parental and child depression and anxiety,  
24 that can arise when low-income families do not have  
25 an adequate supply of diapers for infants and tod-  
26 dlers; and

1           “(3) integrate the diaper distribution dem-  
2           onstration projects with other assistance programs  
3           serving families with eligible children.

4           “(c) APPLICATION.—An entity desiring a grant under  
5           this section shall submit to the Secretary an application  
6           that includes such information as the Secretary may re-  
7           quire to ensure a likelihood of success in achieving the  
8           purposes of the grant listed in subsection (b).

9           “(d) ELIGIBLE ENTITIES.—To be eligible to receive  
10          a grant under this section, an entity shall be—

11           “(1) a State or local governmental entity;

12           “(2) an Indian tribe or tribal organization (as  
13           defined in section 4 of the Indian Self-Determination  
14           and Education Assistance Act); or

15           “(3) a nonprofit organization as described in  
16           section 501(c)(3) of the Internal Revenue Code of  
17           1986 and exempt from taxation under section  
18           501(a) of such Code.

19           “(e) NO EFFECT ON OTHER PROGRAMS.—Any as-  
20           sistance or benefits provided to a family pursuant to a  
21           grant under this section shall be disregarded for purposes  
22           of determining the family’s eligibility for, or amount of,  
23           benefits under—

24           “(1) any other Federal needs-based program; or

1           “(2) in the case of a grant under this section  
2           to a State, any State-funded, needs-based program  
3           that is financed in whole or in part with Federal  
4           funds.

5           “(f) REPORTS.—As a condition of receiving a grant  
6           under this section for a fiscal year, an entity shall submit  
7           to the Secretary, not later than 6 months after the end  
8           of the fiscal year, a report that specifies—

9           “(1) the number of children and the number of  
10          families receiving assistance under the diaper dis-  
11          tribution demonstration projects funded through  
12          such grant for each month of the fiscal year;

13          “(2) the number of diapers, and the number of  
14          each type of diapering supply distributed through  
15          such projects for each month of the fiscal year;

16          “(3) the method or methods the entity uses to  
17          distribute diapers and diapering supplies through  
18          such projects; and

19          “(4) such other information as the Secretary  
20          may require.

21          “(g) EVALUATION.—The Secretary, in consultation  
22          with each entity that receives a grant under this section,  
23          shall—

24          “(1) not later than September 30, 2019—

1           “(A) complete an evaluation of the effec-  
2           tiveness of the diaper distribution demonstra-  
3           tion projects carried out pursuant to this sec-  
4           tion;

5           “(B) submit to the relevant congressional  
6           committees a report on the results of such eval-  
7           uation; and

8           “(C) publish the results of the evaluation  
9           on the Internet Web site of the Department of  
10          Health and Human Services; and

11          “(2)(A) not later than September 30, 2022, up-  
12          date the evaluation described in paragraph (1)(A);  
13          and

14          “(B) not later than 90 days after completion of  
15          the updated evaluation under subparagraph (B)—

16                  “(i) submit to the relevant congressional  
17                  committees a report describing the results of  
18                  such evaluation; and

19                  “(ii) update the Web site described in  
20                  paragraph (1)(C) to include the results of such  
21                  evaluation.

22          “(h) DEFINITIONS.—In this section:

23                  “(1) The term ‘diaper’ means an absorbent gar-  
24                  ment that is washable or disposable that is worn by  
25                  a child who is not toilet-trained.

1           “(2) The term ‘diapering supplies’ means items,  
2 including diaper wipes and diaper cream, necessary  
3 to ensure that a child using a diaper is properly  
4 cleaned and protected from diaper rash.

5           “(3) The term ‘eligible child’ means a child  
6 who—

7                   “(A) is not toilet-trained;

8                   “(B) has not attained 4 years of age, un-  
9 less the entity determines that the child has a  
10 substantial physical or mental impairment that  
11 requires the child to wear diapers; and

12                   “(C) is a member of a family whose income  
13 is not more than 130 percent of the poverty line  
14 (as defined by the Office of Management and  
15 Budget, and revised annually in accordance  
16 with section 673(2) of the Omnibus Budget  
17 Reconciliation Act of 1981) applicable to a fam-  
18 ily of the size involved.

19           “(4) The term ‘toilet-trained’ means able and  
20 willing to use a toilet consistently such that diapers  
21 are not necessary on a daily basis.

22           “(i) AUTHORIZATION OF APPROPRIATIONS.—

23                   “(1) IN GENERAL.—To carry out this section,  
24 there is authorized to be appropriated for each of  
25 fiscal years 2018 through 2022, \$25,000,000.

1           “(2) AVAILABILITY OF FUNDS.—Funds pro-  
2           vided to an entity under this section for a fiscal year  
3           may be expended only in the fiscal year or the suc-  
4           ceeding fiscal year.”.

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