

112TH CONGRESS
2D SESSION

H. R. 4333

To amend the Food and Nutrition Act of 2008 to permit providers of eligible food purchasing and delivery services to be approved as retail food stores that accept and redeem supplemental nutrition assistance benefits.

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2012

Mr. PAULSEN (for himself, Ms. MCCOLLUM, Mr. MCGOVERN, and Mrs. EMERSON) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Food and Nutrition Act of 2008 to permit providers of eligible food purchasing and delivery services to be approved as retail food stores that accept and redeem supplemental nutrition assistance benefits.

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 “Enhancing Nutrition
5 Services to the Elderly and Disabled Act of 2012”.

1 **SEC. 2. ENHANCING SERVICES TO ELDERLY AND DISABLED**
2 **SUPPLEMENTAL NUTRITION ASSISTANCE**
3 **PROGRAM RECIPIENTS.**

4 Section 3(p) of the Food and Nutrition Act of 2008
5 (7 U.S.C. 2012(p)) is amended—

6 (1) in paragraph (3) by striking “and” at the
7 end,

8 (2) in paragraph (4) by striking the period at
9 the end and inserting “; and”, and

10 (3) by inserting after paragraph (4) the fol-
11 lowing:

12 “(5) a public or private nonprofit food pur-
13 chasing and delivery service that—

14 “(A) purchases food for, and delivers such
15 food to, individuals who are—

16 “(i) unable to shop for food; and

17 “(ii)(I) not less than 60 years of age;

18 or

19 “(II) physically or mentally handi-
20 capped or otherwise disabled;

21 “(B) clearly notifies the participating
22 household at the time such household places a
23 food order—

24 “(i) of any delivery fee associated with
25 the food purchase and delivery provided to
26 such household by such service; and

1 “(ii) that a delivery fee cannot be paid
2 with benefits provided under the supple-
3 mental nutrition assistance program; and
4 “(C) sells food purchased for such house-
5 hold at the price paid by such service for such
6 food and without any additional cost markup.”.

7 **SEC. 3. IMPLEMENTATION.**

8 (a) ISSUANCE OF REGULATIONS.—Not later than 1
9 year after the date of enactment of this Act, the Secretary
10 of Agriculture shall issue regulations that—

11 (1) establish criteria to identify a food pur-
12 chasing and delivery service referred to in section
13 3(p)(5) of the Food and Nutrition Act of 2008, and

14 (2) establish procedures to ensure that such
15 service—

16 (A) does not charge more for a food item
17 than the price paid by such service for such
18 food item,

19 (B) offers food delivery service at no or low
20 cost to households under such Act,

21 (C) ensures that benefits provided under
22 the supplemental nutrition assistance program
23 are used only to purchase food, as defined in
24 section 3 of such Act,

1 (D) limits the purchase of food, and the
2 delivery of such food, to households eligible to
3 receive services described in section 3(p)(5) of
4 this Act,

5 (E) has established adequate safeguards
6 against fraudulent activities, including unau-
7 thorized use of electronic benefit cards issued
8 under such Act, and

9 (F) such other requirements as the Sec-
10 retary deems to be appropriate.

11 (b) LIMITATION.—Before the issuance of regulations
12 under subsection (a), the Secretary of Agriculture may not
13 approve more than 20 food purchasing and delivery serv-
14 ices referred to in section 3(p)(5) of the Food and Nutri-
15 tion Act of 2008 to participate as retail food stores under
16 the supplemental nutrition assistance program.

17 **SEC. 4. EFFECTIVE DATE.**

18 This Act and the amendments made by this Act shall
19 take effect 30 days after the date of the enactment of this
20 Act.

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