



## The Healthy Meals, Healthy Kids Act: FRAC's Complete Summary

On July 20, 2022, the House Committee on Education and Labor released the [Healthy Meals, Healthy Kids Act](#), their proposed child nutrition reauthorization bill. The committee is scheduled to consider (“mark up”) the bill on July 27, 2022.

FRAC [strongly supports](#) the bill, which includes many important provisions that will dramatically increase children’s access to the federal nutrition programs and eliminate many administrative challenges. We will continue to advocate for this comprehensive bill as it moves through the legislative process.

### Summary of Provisions

#### Waiver Authority

- Gives USDA authority to issue national and statewide waivers for the federal child nutrition programs during federally declared emergencies.

#### School Meals

- Provides grant funding to state agencies and Tribal organizations for direct certification
- Allows Medicaid direct certification for free and reduced-price school meals.
- Children whose families’ household income is below 133% or receives SSI, adoption assistance payments, or kinship guardianship assistance payments can be directly certified to receive free meals.
- Children whose families’ household income is between 133% and 185% of the poverty line can be directly certified to receive reduced-price meals.
- Expands community eligibility, which allows high-need schools to offer free meals to all students.
- Raises the multiplier, which determines the percentage of meals that are reimbursed at the free rate, from 1.6 to 2.5.
- Lowers the eligibility threshold from 40% ISP to 25% ISP, increasing the number of schools eligible to adopt community eligibility.
- Creates a statewide community eligibility option.
- Makes a student’s certification for free or reduced-price meals retroactive to the start of the school year.
- Increases the free, reduced-price, and paid lunch reimbursement rates by 10 cents.
- Allows state funds to be used for statewide technology solutions.
- Adds 6 cents in commodities for school breakfasts.
- Changes the calculation date for the value of commodities from July 1 to January 15.

- Authorizes \$35 million annually for school equipment grants and \$20 million annually for a new scratch cooking grant program and a corresponding technical assistance center (up to 10 percent of the funding can be used to cover the cost of the center).
- Allows schools to contract food service management companies to serve school meals and competitive foods and requires them to report information on contracts and any actions to assist, promote, or deter labor organizing to USDA.
- Requires training to be conducted during work hours, and when not possible, requires that employees be paid for trainings outside of work hours. If an employee cannot attend a training, outside of work hours, they will not lose their job.
- Extends Technology Infrastructure Grant and State Administration Expense funding through 2028.
- Sets confidentiality standards for electronic free and reduced-price school meal applications.
- Requires the secretary to study and issue a report on the timing and duration of school lunch and when recess is offered and to develop and disseminate best practices.
- Allows states to establish a centralized statewide online application system to determine eligibility for school meals

### **Unpaid School Meal Fees**

- Prohibits overt identification of students whose households have unpaid school meal fees.
- Requires schools to take steps to determine if students whose households have unpaid school meals are eligible for free or reduced-price school meals by conducting direct certification and encouraging households to fill out a school meal application.
- Sets parameters for the collection of unpaid school meal fees, including limiting most communications to the parent or guardian, not allowing schools to withhold educational opportunities, and prohibiting the use of a debt collector.
- Prohibits the disposal or taking away of food that has been served to a child whose household has unpaid school meal fees.
- Creates an Unpaid Meal Debt National Advisory Council that is charged with making recommendations to ensure that students are not stigmatized and school meal programs remain financially viable.

### **Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)**

- Requires WIC clinics to offer services over the phone and via video options and allows remote benefit issuance.
- Allows for online and mobile payments in WIC and sets aside \$40 million annually to support retailers, particularly small businesses, to modernize their systems.
- Extends WIC eligibility for children up to the age of 6 or the day they begin kindergarten, whichever is earlier.
- Requires WIC to automatically certify infants born to postpartum individuals participating in WIC.

- Requires WIC agencies to extend certification periods to two years for infants, children, and postpartum individuals.
- Allows adjunctive eligibility for infants, children, and pregnant and postpartum individuals in households that participate in the Children's Health Insurance Program (CHIP), Head Start, Early Head Start, or the Food Distribution Program on Indian Reservations (FDPIR).
- Authorizes \$90 million for investments in WIC technology, including data sharing between WIC and the health care sector.
- Doubles the authorization of funding for breastfeeding peer counselors from \$90 million to \$180 million.
- Reauthorizes the WIC Farmers' Market Nutrition Program, increasing the minimum benefit level to \$20 and eliminating the matching requirement for state WIC agencies.

### **Child and Adult Care Food Program (CACFP)**

- Allows for an additional reimbursable meal (typically an afternoon snack or supper) for children in a full day of care, more than eight hours between the first and last meal service periods.
- Expands access to healthy CACFP meals for youth experiencing homelessness served by increasing the age limit for reimbursable meals served in emergency and homelessness shelters from 18 years to 25 years of age.
- Improves reimbursement rate adjustments for child care home providers by using the Consumer Price Index for food away from home to calculate the adjustment, helping to make sure reimbursement keeps up with the cost of providing a healthy CACFP meal.
- Simplifies eligibility for proprietary (for-profit) child care centers by allowing annual eligibility, in alignment with other child care centers.
- Makes improvements to the serious deficiency process, including making a distinction between a reasonable margin of human error and systematic or intentional noncompliance.
- Establishes an advisory committee to reduce administratively burdensome paperwork for parents, providers, and sponsors.
- Allows automatic eligibility for benefits among children in households receiving Supplemental Nutrition Assistance Program (SNAP) benefits.

### **Summer Nutrition Program**

- Allows all summer meal sites to serve up to three meals a day. Most sites are currently limited to a maximum of two.
- Allows communities to participate if 40% of the children in the area are eligible for free or reduced-price meals. The current 50% threshold prevents many communities with significant numbers of low-income children, but not a high enough concentration of poverty, from participating.
- Allows Summer Food sponsors that are not schools to provide meals and snacks to children after school, on weekends, and school holidays during the school year at sites providing educational and enrichment programming. This will allow sponsors

to operate one program rather than two, which will significantly reduce duplicative paperwork and confusing administrative rules.

- Authorizes \$10 million for competitive grants to fund projects that increase participation at congregate meal sites and that support innovation around transportation and mobile meal projects. Priority will be given to operators that serve both breakfast and lunch and that offer educational or enrichment programming. Funding for the projects would need to be appropriated.
- Strengthens the existing requirement that schools conduct summer food outreach by requiring the outreach materials to be culturally and linguistically appropriate.

### **Summer EBT**

- Authorizes a nationwide Summer EBT program
- Provides \$75 per child per month in nutrition benefits during summer break. The secretary must make a plan to provide benefits to children who attend year-round schools.
- Provides benefits automatically to children who receive free or reduced-price school meals, or who attend a community eligibility school or other school using a special federal provision to offer meals to all students at no charge. Families must be given an opportunity to opt-out of Summer EBT.
- Allows benefits to be used to purchase food at SNAP retailers in all states, except for those that operated Summer EBT in 2018 following a WIC model and Indian Tribal organizations administering WIC, which would continue to follow a WIC model.
- Ensures funding for the program to run for five years from summer of 2024 through summer of 2028. Adjusts the monthly benefit amount a child receives each subsequent year based on changes to the thrifty food plan.
- Provides funding to cover administrative costs, including for USDA, states, Indian Tribal organizations, and local education agencies
- Authorizes \$50,000,000 for fiscal year (FY) 2023 through FY 2028 for implementation grants.

### **Tribes and Freely Associated States Provisions**

- Creates pilot program for 10 Tribal authorities to operate the federal child nutrition programs as state agencies for five years and includes grant funding.
- Charges the Secretary of Agriculture to conduct a feasibility study to determine whether the governments of freely associated states (the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau) have the capability of operating the federal child nutrition programs.

### **Food and Nutrition Education, Standards, and Sustainability**

- Updates the Farm to School Program and increases the mandatory authorization of funds from \$5 million per year to \$15 million per year.
- Improves ability of child nutrition programs to purchase foods that are considered sustainable and equitable, such as unprocessed food products that were locally grown and locally raised, produced by a socially disadvantaged person, veteran, or beginning farmer or rancher.

- Helps ensure school meals patterns are regularly modified to align with the latest nutrition standards set in the most recent Dietary Guidelines for Americans, including assistance and resources for schools to meet these requirements.
- Incorporates mental health promotion and education, including awareness of eating disorders, into local school wellness policies to establish healthy and resilient school environments and increases the authorization of funding for these activities from \$3 million to \$5 million.
- Establishes a pilot program to support procurement of and education, outreach, technical assistance on plant-based foods in the National School Lunch Program.
- Establishes a pilot program to support reduction of food waste in schools, including food waste education.