119TH CONGRESS
2D SESSION

S. _____

To amend the Food, Conservation, and Energy Act of 2008 to expand the produce prescription program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. HEINRICH introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Food, Conservation, and Energy Act of 2008 to expand the produce prescription program, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Produce Prescription Program Expansion Act of 2026''.

SEC. 2. GUS SCHUMACHER NUTRITION INCENTIVE PROGRAM.

Section 4405 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7517) is amended—

(1) in subsection (a), by redesignating paragraphs (3), (4), and (5) as paragraphs (5), (3), and (4), respectively, and reordering appropriately;

(2) in subsection (c)—

(A) by striking paragraphs (1) and (2) and inserting the following:

''(1) DEFINITION OF PRODUCE PRESCRIPTION PROJECT.—In this subsection, the term 'produce prescription project' means a project under which an eligible entity—

''(A) prescribes fruits and vegetables to members to improve health outcomes; and

''(B) may—

''(i) provide financial or nonfinancial incentives for members to purchase or procure fruits and vegetables;

''(ii) provide educational resources on nutrition to members; and

''(iii) establish additional accessible locations for members to procure fruits and vegetables.

''(2) GRANTS.—The Secretary shall establish a grant program under which the Secretary shall award grants to eligible entities to conduct produce prescription projects and—

''(A) to demonstrate the impact of the produce prescription project on—

''(i) the improvement of dietary health through increased consumption of fruits and vegetables;

''(ii) the reduction of individual and household food insecurity; and

''(iii) the reduction in healthcare use and associated costs; or

''(B) to demonstrate the feasibility and impact of delivering produce prescriptions under the produce prescription project within standard clinical practice, including by using research and evaluation criteria similar to the criteria used in clinical trials.'';

(B) in paragraph (3)—

(i) by striking subparagraph (A) and inserting the following:

''(A) IN GENERAL.—An eligible entity seeking a grant under paragraph (2) shall submit to the Secretary an application containing such information as the Secretary may require, including the information described in subparagraph (B).'';

(ii) in subparagraph (B)—

(I) in clause (i), by striking ''paragraph (2)'' and inserting ''paragraph (7)(A)''; and

(II) in clause (ii)(I)(cc), by striking ''subparagraphs (A) through (C) of paragraph (1)'' and inserting ''clauses (i) through (iii) of paragraph (2)(A), if applicable''; and

(iii) by adding at the end the following:

''(C) PRIORITY FOR LOCAL FOOD AND INDEPENDENT RETAIL OUTLETS.—In awarding grants under paragraph (2)(A), the Secretary shall give priority to produce prescription projects that—

''(i) prescribe locally grown produce; or

''(ii) establish infrastructure that aides independent produce retail outlets.

''(D) REVIEW PANEL.—Not later than 1 year after the date of enactment of the Produce Prescription Program Expansion Act of 2026, the Secretary shall establish a review panel, which shall include at least 1 representative of

the healthcare industry, to review applications under this paragraph.'';

(C) by redesignating paragraphs (4) and (5) as paragraphs (6) and (7), respectively;

(D) by inserting after paragraph (3) the following:

''(4) PROJECT REQUIREMENTS.—

''(A) IN GENERAL.—A project described in paragraph (2)(A) shall—

''(i) examine how program design, delivery mechanisms, and participant experience affect program uptake, usability, and outcomes;

''(ii) establish or validate best practices; or

''(iii) establish infrastructure that aids community health centers, rural health clinics, and critical access hospitals.

''(B) CLINICAL PRACTICE.—A project described in paragraph (2)(B) shall have—

''(i) a minimum intervention cohort of 300 patients;

''(ii) a matched control comparison group, or have demonstrated the ability to

scale when delivered through clinical practice; and

"(iii) an intervention duration of 8 months or longer.

"(5) AWARD AMOUNTS.—The amount of a grant to conduct a produce prescription project—

"(A) with the demonstration described in paragraph (1)(A) shall be $250,000 or less; and

"(B) with the demonstration described in paragraph (1)(B) shall be not less than $1,000,000 and not more than $2,500,000.";

(E) in paragraph (6) (as so redesignated), by striking "paragraph (1)" and inserting "paragraph (2)";

(F) in paragraph (7) (as so redesignated)—

(i) by redesignating subparagraph (B) as subparagraph (C);

(ii) in subparagraph (A), by striking the subparagraph designation and heading and all that follows through "In carrying out the grant program under paragraph (1)" and inserting the following:

"(A) HEALTHCARE PARTNERS FOR ELIGIBLE ENTITIES.—In carrying out a project using

a grant received under paragraph (2), an eligible entity shall partner with 1 or more healthcare partners.

''(B) PARTNERSHIPS WITH SECRETARY.—In carrying out the grant program under paragraph (2)''; and

(iii) in subparagraph (C) (as so redesignated), in the matter preceding clause (i), by striking ''subparagraph (A)'' and inserting ''subparagraph (B)''; and

(G) by adding at the end the following:

''(8) REPORT.—Not later than 3 years after the date of enactment of the Produce Prescription Program Expansion Act of 2026, the Secretary, in consultation with the Comptroller General of the United States, the Secretary of Health and Human Services, the Administrator of the Centers for Medicare and Medicaid Services, and any other relevant agency head shall conduct a study and issue recommendations on how to transition payment for the produce prescription program under this subsection to health insurance programs not later than 10 years after that date of enactment.''; and

(3) in subsection (f)—

(A) in paragraph (1), by striking ''2023'' and inserting ''2031'';

(B) in paragraph (2)—

(i) by redesignating subparagraphs (D) through (G) as subparagraphs (E) through (H), respectively;

(ii) by redesignating the second subparagraph (C) (relating to fiscal year 2019) as subparagraph (D);

(iii) in subparagraph (G) (as so redesignated), by striking ''and'' at the end;

(iv) in subparagraph (H) (as so redesignated), by striking ''and each fiscal year thereafter.'' and inserting ''; and''; and

(v) by adding at the end the following:

''(I) $57,500,000 for each of fiscal years 2027 through 2031; and

''(J) $56,000,000 for fiscal year 2032 and each fiscal year thereafter.''; and

(C) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by striking ''2023'' and inserting ''2031''; and

(ii) in subparagraph (A), by striking ''subsection (c);'' and inserting the following: ''subsection (c), of which—

''(i) 50 percent shall be used for grants described in paragraph (2)(A) of that subsection; and

''(ii) 50 percent shall be used for grants described in paragraph (2)(B) of that subsection;''.