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HOUSE BILL 1587

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State of Washington

66th Legislature

2019 Regular Session

**By** Representatives Riccelli, Entenman, Harris, Stonier, Peterson, Chandler, Gregerson, Thai, Senn, Hudgins, Macri, Lekanoff, Griffey, Steele, Goehner, Wylie, Appleton, Chapman, Lovick, Shewmake, Valdez, Bergquist, Morris, Doglio, Robinson, Tharinger, Goodman, Pollet, Slatter, Ormsby, and Frame

Read first time 01/24/19. Referred to Committee on Human Services & Early Learning.

1 AN ACT Relating to increasing access to fruits and vegetables for  
2 individuals with limited incomes; amending RCW 43.70.700; adding a  
3 new section to chapter 43.70 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that nearly  
6 eleven percent of Washington households, including more than two  
7 hundred eighty thousand children, are food insecure with limited or  
8 uncertain availability of nutritionally adequate and safe foods. The  
9 legislature further finds that food insecurity contributes to poor  
10 quality diets; chronic medical conditions such as diabetes, heart  
11 disease, and hypertension; and negative outcomes for children and  
12 families, including harmful effects on behavioral health. Further,  
13 food insecurity disproportionately affects people with low incomes,  
14 people of color, and rural residents.

15 (2) The legislature finds that food assistance programs such as  
16 the special supplemental nutrition program for women, infants, and  
17 children and the supplemental nutrition assistance program are  
18 effective in significantly reducing food insecurity; that  
19 participants report difficulty affording and accessing healthy foods;  
20 and that fruit and vegetable consumption among such food assistance  
21 program participants is far below national dietary guidelines.

1 (3) The legislature finds that the state department of health has  
2 successfully managed a food insecurity nutrition incentives grant  
3 from the United States department of agriculture that provides a  
4 framework for providing fruit and vegetable incentives for low-income  
5 shoppers and that those federal funds are set to expire in March  
6 2020. Further, the legislature finds that more than two million  
7 dollars in fruit and vegetable incentives have been redeemed by food  
8 insecure Washingtonians through this grant, helping to alleviate food  
9 insecurity and increase fruit and vegetable consumption.

10 (4) Therefore, the legislature intends to create a state fruit  
11 and vegetable incentives program to benefit people who are food  
12 insecure, our agricultural industry, and retailers across the state.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.70  
14 RCW to read as follows:

15 (1) The fruit and vegetable incentives program is established to  
16 increase fruit and vegetable consumption among food insecure  
17 individuals with limited incomes. The fruit and vegetable incentives  
18 program includes:

19 (a) Farmers market basic food incentives to provide eligible  
20 participants with extra benefits to purchase fruits and vegetables at  
21 authorized farmers markets when the participant uses basic food  
22 benefits;

23 (b) Grocery store basic food incentives to provide eligible  
24 participants with extra benefits to purchase fruits and vegetables at  
25 authorized grocery stores when the participant uses basic food  
26 benefits; and

27 (c) Fruit and vegetable vouchers provided by a health care  
28 provider, health educator, community health worker, or other health  
29 professional to an eligible participant for use at an authorized  
30 farmers market or grocery store.

31 (2) Subject to the availability of amounts appropriated for this  
32 specific purpose, the department shall administer the fruit and  
33 vegetable incentives program. As part of its duties, the department  
34 shall:

35 (a) Collaborate with other state agencies whose missions and  
36 programs closely align with the fruit and vegetable incentives  
37 program, including the department of social and health services and  
38 the department of agriculture, in the development and implementation  
39 of the program;

1 (b) Provide resources, coordination, and technical assistance to  
2 program partners for targeted outreach to food insecure populations  
3 and for administration of the program. Program partners may include  
4 farmers markets, grocery stores, government agencies, health care  
5 systems, and nonprofit organizations; and

6 (c) Adopt rules to implement this section.

7 (3) Farmers market basic food incentives may be provided to  
8 eligible participants for use at farmers markets authorized by the  
9 department. The incentives are additional funds that may be used to  
10 purchase eligible fruits and vegetables as defined by the department.  
11 When authorizing a participating farmers market, the department may  
12 give preference to a farmers market that accepts or has previously  
13 accepted supplemental nutrition assistance program benefits, has the  
14 capacity to accept supplemental nutrition assistance program  
15 benefits, or is located in a county with a high level of food  
16 insecurity, as defined by the department.

17 (4) Grocery store basic food incentives may be provided to  
18 eligible participants for use at a grocery store that is an  
19 authorized supplemental nutrition assistance program retailer and  
20 approved by the department. The incentives are additional funds that  
21 may be used to purchase eligible fruits and vegetables as defined by  
22 the department. When approving a participating grocery store, the  
23 department may give preference to a store that is located in a county  
24 with a high level of food insecurity.

25 (5) Fruit and vegetable vouchers are cash-value vouchers that may  
26 be distributed by a participating health care provider, health  
27 educator, community health worker, or other health professional to a  
28 patient who is eligible for basic food and has a qualifying health  
29 condition, as defined by the department, or is food insecure. The  
30 voucher may be redeemed at a participating retailer, including an  
31 authorized farmers market or grocery store. The department shall  
32 approve participating health care systems and may give preference to  
33 systems that have operated fruit and vegetable prescription programs,  
34 routinely screen patients for food insecurity, have a high percentage  
35 of patients who are medicaid clients, or are located in a county with  
36 a high level of food insecurity.

37 (6) The department must evaluate the fruit and vegetable  
38 incentives program effectiveness. When conducting the evaluation, the  
39 department must collect information related to fruit and vegetable  
40 consumption by eligible participants, levels of food security, and

1 likely impacts on public health outcomes as a result of the program.  
2 By July 1, 2021, and in compliance with RCW 43.01.036, the department  
3 must submit a progress report to the governor and the legislature  
4 describing the results of the program and recommending any  
5 legislative or programmatic changes to improve the effectiveness of  
6 program delivery. By December 1, 2023, the department must submit a  
7 complete program evaluation describing the program's effectiveness  
8 and including any additional recommendations for program  
9 improvements.

10 (7) The definitions in this subsection apply throughout this  
11 section unless the context clearly requires otherwise.

12 (a) "Eligible participant" means:

13 (i) For the purposes of subsection (1)(a) and (b) of this  
14 section, a recipient of basic food benefits, including the  
15 supplemental nutrition assistance program and the food assistance  
16 program, as authorized under Title 74 RCW; or

17 (ii) For the purposes of subsection (1)(c) of this section, a  
18 person who is determined to be food insecure by a participating  
19 health care provider.

20 (b) "Food insecure" means a state in which consistent access to  
21 adequate food is limited by a lack of money and other resources at  
22 times during the year.

23 **Sec. 3.** RCW 43.70.700 and 2008 c 215 s 8 are each amended to  
24 read as follows:

25 (1) The department shall adopt rules authorizing retail operation  
26 farms stores, owned and operated by a farmer and colocated with a  
27 site of agricultural production, to participate in the women, infant,  
28 and children farmers market nutrition program to provide locally  
29 grown, nutritious, unprepared fruits and vegetables to eligible  
30 program participants.

31 (2) Such rules must meet the provisions of 7 C.F.R. part 3016,  
32 uniform administrative requirements for grants and cooperative  
33 agreements to state and local governments, as it existed on June 12,  
34 2008, or such subsequent date as may be provided by the department by  
35 rule, consistent with the purposes of this section.

36 (3) Subject to the availability of amounts appropriated for this  
37 specific purpose, the department shall distribute a fruit and  
38 vegetable benefit of no less than thirty dollars per summer farmers  
39 market season to each eligible participant in the women, infant, and

1 children farmers market nutrition program. To the extent that federal  
2 funds are available, federal funds must be used to pay for the  
3 benefit.

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