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(Original Signature of Member)

116TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend the Child Nutrition Act of 1966 and the Richard B. Russell National School Lunch Act to eliminate reduced price breakfasts and lunches and to require that the income guidelines for determining eligibility for free breakfasts and free lunches be 200 percent of the poverty-level, and for other purposes

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IN THE HOUSE OF REPRESENTATIVES

Mr. RYAN introduced the following bill; which was referred to the Committee  
on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend the Child Nutrition Act of 1966 and the Richard B. Russell National School Lunch Act to eliminate reduced price breakfasts and lunches and to require that the income guidelines for determining eligibility for free breakfasts and free lunches be 200 percent of the poverty-level, and for other purposes

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) IN GENERAL.—This Act may be cited as the “Ex-  
3 panding Access to School Meals Act of 2019”.

4 (b) TABLE OF CONTENTS.—The table of contents for  
5 this Act are as follows:

Sec. 1. Short title; table of contents.

TITLE I—REPEAL OF REDUCED PRICE BREAKFASTS AND  
LUNCHES

Sec. 101. Repeal of reduced price breakfasts.

Sec. 102. Repeal of reduced price lunches.

TITLE II—EXPANSION OF FREE LUNCH ELIGIBILITY

Sec. 201. Poverty level for free lunch.

Sec. 202. Direct certification for children receiving Medicaid benefits.

Sec. 203. Direct certification for children enrolled in CHIP.

Sec. 204. Retroactive reimbursement.

Sec. 205. Increase of community eligibility program multiplier.

6 **TITLE I—REPEAL OF REDUCED**  
7 **PRICE BREAKFASTS AND**  
8 **LUNCHES**

9 **SEC. 101. REPEAL OF REDUCED PRICE BREAKFASTS.**

10 (a) IN GENERAL.—Section 4 of the Child Nutrition  
11 Act of 1966 (42 U.S.C. 1758) is amended by adding at  
12 the end the following:

13 “(f) REPEAL OF REDUCED PRICE BREAKFASTS.—  
14 Notwithstanding any other provision of law, the reduced  
15 price breakfast program is repealed and the Secretary may  
16 not provide reimbursements for reduced price breakfasts  
17 under this section.”.

18 (b) CONFORMING AMENDMENTS.—The Child Nutri-  
19 tion Act of 1966 (42 U.S.C. 1771 et seq.) is amended—

1           (1) by striking “or reduced price” each place it  
2 appears;

3           (2) by striking “for a reduced price” each place  
4 it appears;

5           (3) by striking “or at a reduced price” each  
6 place it appears;

7           (4) by striking “for reduced price breakfasts”  
8 each place it appears; and

9           (5) by striking “and reduced price” each place  
10 it appears.

11       (c) FURTHER CONFORMING AMENDMENTS.—Section  
12 4(b) of the Child Nutrition Act of 1966 (42 U.S.C.  
13 1758(b)) is amended—

14           (1) in paragraph (1)—

15               (A) in subparagraph (B), by striking the  
16 second sentence; and

17               (B) by striking subparagraph (C); and

18           (2) in paragraph (2), by striking subparagraph  
19 (C).

20 **SEC. 102. REPEAL OF REDUCED PRICE LUNCHES.**

21       (a) IN GENERAL.—The Richard B. Russell National  
22 School Lunch Act (42 U.S.C. 1751 et seq.) is amended  
23 by adding at the end the following:

1 **“SEC. 30. REPEAL OF REDUCED PRICE LUNCHES.**

2 “Notwithstanding any other provision of law, the re-  
3 duced price lunch program is repealed and the Secretary  
4 may not provide reimbursements for reduced price lunches  
5 under this Act.”.

6 (b) CONFORMING AMENDMENTS.—The Richard B.  
7 Russell National School Lunch Act (42 U.S.C. 1751 et  
8 seq.) is amended—

9 (1) by striking “or reduced price” each place it  
10 appears;

11 (2) by striking “or a reduced price” each place  
12 it appears;

13 (3) by striking “or reduced-price” each place it  
14 appears;

15 (4) by striking “and reduced price” each place  
16 it appears; and

17 (5) by striking “a reduced price” each place it  
18 appears.

19 **TITLE II—EXPANSION OF FREE**  
20 **LUNCH ELIGIBILITY**

21 **SEC. 201. POVERTY LEVEL FOR FREE LUNCH.**

22 Section 9(b)(1)(A) of the Richard B. Russell Na-  
23 tional School Lunch Act (42 U.S.C. 1758(b)(1)(A)) is  
24 amended—

25 (1) by striking the third sentence; and

1           (2) by striking “130 percent” and inserting  
2           “200 percent”.

3   **SEC. 202. DIRECT CERTIFICATION FOR CHILDREN RECEIV-**  
4                           **ING MEDICAID BENEFITS.**

5           Section 9(b)(15) of the Richard B. Russell National  
6 School Lunch Act (42 U.S.C. 1758(b)(15)) is amended to  
7 read as follows:

8           “(15) DIRECT CERTIFICATION FOR CHILDREN  
9 RECEIVING MEDICAID BENEFITS.—

10                   “(A) AGREEMENT.—Beginning not later  
11 than 90 days after the date of the enactment of  
12 the Expanding Access to School Meals Act of  
13 2019, each State agency shall enter into an  
14 agreement with the 1 or more State agencies  
15 conducting eligibility determinations for the  
16 Medicaid program.

17                   “(B) PROCEDURES.—Subject to paragraph  
18 (6), the agreement shall establish procedures  
19 under which an eligible child shall be certified  
20 for free lunches under this Act and free break-  
21 fasts under section 4 of the Child Nutrition Act  
22 of 1966 (42 U.S.C. 1773), without further ap-  
23 plication.

24                   “(C) CERTIFICATION.—Subject to para-  
25 graph (6), under the agreement, the local edu-

1           cational agencies for a school lunch program  
2           under this Act and a school breakfast program  
3           under the Child Nutrition Act of 1966 (42  
4           U.S.C. 1771 et seq.) shall certify an eligible  
5           child as eligible for free lunches under this Act  
6           and free breakfasts under section 4 of the Child  
7           Nutrition Act of 1966 (42 U.S.C. 1773), with-  
8           out further application.

9           “(D) DEFINITIONS.—In this paragraph:

10           “(i) ELIGIBLE CHILD.—The term ‘eli-  
11           gible child’ means a child—

12           “(I) is a member of a family that  
13           meets the income eligibility require-  
14           ments under paragraph (1)(A); and

15           “(II) is enrolled in medical as-  
16           sistance under a Medicaid State plan  
17           (or a waiver of such plan) under title  
18           XIX of the Social Security Act (42  
19           U.S.C. 1396 et seq.)

20           “(ii) MEDICAID PROGRAM.—The term  
21           Medicaid program means the program of  
22           medical assistance established under title  
23           XIX of the Social Security Act (42 U.S.C.  
24           1396 et seq.).

1           “(E) APPLICABILITY.—This paragraph ap-  
2           plies to—

3                   “(i) in the case of the school year be-  
4                   ginning July 2020, a school district that  
5                   had an enrollment of 25,000 students or  
6                   more in the preceding school year;

7                   “(ii) in the case of the school year be-  
8                   ginning July 2021, a school district that  
9                   had an enrollment of 10,000 students or  
10                  more in the preceding school year; and

11                  “(iii) in the case of the school year be-  
12                  ginning July 2022, and each subsequent  
13                  school year, each local educational agen-  
14                  cy.”.

15 **SEC. 203. DIRECT CERTIFICATION FOR CHILDREN EN-**  
16 **ROLLED IN CHIP.**

17           Section 9(b) of the Richard B. Russell National  
18           School Lunch Act (42 U.S.C. 1758(b)) is amended by add-  
19           ing at the end the following:

20                   “(16) DIRECT CERTIFICATION FOR CHILDREN  
21                   ENROLLED IN CHIP.—

22                   “(A) AGREEMENT.—Beginning not later  
23                   than 90 days after the date of the enactment of  
24                   this paragraph, each State agency shall enter  
25                   into an agreement with the State agency con-

1           ducting eligibility determinations for child  
2           health assistance under a State child health  
3           plan (or a waiver of such plan) under title XXI  
4           of the Social Security Act (42 U.S.C. 1397 et  
5           seq.).

6           “(B) PROCEDURES.—Subject to paragraph  
7           (6), the agreement shall establish procedures  
8           under which an eligible child shall be certified  
9           as eligible for free lunches under this Act and  
10          free breakfasts under section 4 of the Child Nu-  
11          trition Act of 1966 (42 U.S.C. 1773), without  
12          further application.

13          “(C) CERTIFICATION.—Subject to para-  
14          graph (6), under the agreement, the local edu-  
15          cational agency conducting eligibility determina-  
16          tions for a school lunch program under this Act  
17          and a school breakfast program under the Child  
18          Nutrition Act of 1966 (42 U.S.C. 1771 et seq.)  
19          shall certify an eligible child as eligible for free  
20          lunches under this Act and free breakfasts  
21          under section 4 of the Child Nutrition Act of  
22          1966 (42 U.S.C. 1773), without further appli-  
23          cation.

1           “(D) ELIGIBLE CHILD DEFINED.—In this  
2 paragraph, the term ‘eligible child’ means a  
3 child who—

4           “(i) is a member of a family that  
5 meets the income eligibility requirements  
6 under paragraph (1)(A); and

7           “(ii) is enrolled in child health assist-  
8 ance under a State child health plan (or a  
9 waiver of such plan) under title XXI of the  
10 Social Security Act (42 U.S.C. 1397 et  
11 seq.)

12           “(E) APPLICABILITY.—This paragraph ap-  
13 plies to—

14           “(i) in the case of the school year be-  
15 ginning July 2020, a school district that  
16 had an enrollment of 25,000 students or  
17 more in the preceding school year;

18           “(ii) in the case of the school year be-  
19 ginning July 2021, a school district that  
20 had an enrollment of 10,000 students or  
21 more in the preceding school year; and

22           “(iii) in the case of the school year be-  
23 ginning July 2022, and each subsequent  
24 school year, each local educational agen-  
25 cy.”.

1 **SEC. 204. RETROACTIVE REIMBURSEMENT.**

2 Section 9(b)(9)(C) of the Richard B. Russell National  
3 School Lunch Act (42 U.S.C. 1758(b)(9)(C)) is amend-  
4 ed—

5 (1) by striking “Except” and inserting the fol-  
6 lowing:

7 “(i) IN GENERAL.—Except”;

8 (2) by redesignating clauses (i) and (ii) as sub-  
9 clauses (I) and (II); and

10 (3) by adding at the end the following:

11 “(ii) RETROACTIVITY.—A local edu-  
12 cational agency shall revise a previously  
13 submitted meal claim to reflect the eligi-  
14 bility approval of a child for free meals for  
15 the period that begins on the earlier of the  
16 following:

17 “(I) The first day of the current  
18 school year.

19 “(II) The date that is 90 days  
20 prior to the date of such eligibility ap-  
21 proval.

22 “(iii) MEAL CLAIM DEFINED.—In this  
23 subsection, the term ‘meal claim’ means  
24 any documentation provided by a school  
25 food authority to a State agency in order  
26 to receive reimbursement for the cost of a

1 meal served to a child by such school food  
2 authority.”.

3 **SEC. 205. INCREASE OF COMMUNITY ELIGIBILITY PRO-**  
4 **GRAM MULTIPLIER.**

5 Section 11(a)(1)(F) of the Richard B. Russell Na-  
6 tional School Lunch Act (42 U.S.C. 1759a(a)(1)(F)) is  
7 amended by striking clause (vii) and inserting the fol-  
8 lowing:

9 “(vii) MULTIPLIER.—For each school  
10 year beginning on or after July 1, 2020,  
11 the multiplier shall be 1.8”.