



AUTHORIZED VENDOR ANNUAL TRAINING

WV WIC Program
Vendor Management Unit
350 Capitol Street, Rm 519
Charleston, WV 25301
PHONE 304-558-1115

The West Virginia (WV) WIC Program is required to offer training to WIC Authorized Vendors on an annual basis. The information in this newsletter covers the following required elements set forth in the federal regulations:

- Program Purpose
- Vendor Eligibility Criteria
- Authorized Foods
- Minimum Stock Requirements
- Formula Sources
- Conducting E-WIC Transactions
- Cashier Guidelines
- Claims Process
- Compliant Process
- Sanction System
- Incentive Items
- Program Changes

You will need this newsletter and the WV WIC Vendor Handbook to complete the training quiz. The front end managers, office managers or cashier supervisory designee must take this quiz as well as share the information with store personnel conducting WIC transactions. The quiz may be copied and used as an in-house training resource for employees. Upon completion of the required quiz, each participant may print a certificate of completion for their records.

PURPOSE OF THE PROGRAM

The Special Supplemental Nutrition Program for Women, Infants and Children (WIC) was established in 1974. The WIC Program was created in response to studies that showed limited income pregnant, breastfeeding, postpartum women and infants and children up to five years of age were at greater risk of inadequate nutrition. All WIC activities are carefully coordinated to address nutrition during critical stages of growth and development. WIC services aim to prevent serious nutrition problems and to improve the overall health status of participants. WIC is for all kinds of families: married and single parents, working or not working, receiving other types of aid or not participating in any other programs. WIC is funded through the United States Department of Agriculture (USDA), Food and Nutrition Service (FNS) and is administered by the West Virginia Department of Health and Human Resources, Bureau for Public Health, Office of Nutrition Services.

VENDOR ELIGIBILITY

The WV WIC Program accepts new vendor applications on a rolling, continuous basis. Eligibility requirements include: being authorized with SNAP; hours of operation which are at least 10 hours per day, six days per week; obtaining and maintaining inventory that meets minimum stock requirements; and being in good standing with West Virginia Unemployment Compensation and Workers' Compensation. Successful vendor applicants are granted a probationary agreement for six months. If a probationary vendor is determined to be price competitive, maintains vendor eligibility criteria, and follows all policies and regulations during the probationary period, a vendor participation agreement will be awarded to run concurrent with other vendor agreement periods throughout the geographic region. Once every three years, the WV WIC Program accepts reauthorization applications to authorize WIC vendors with adequate history of compliance during previous agreement periods. Vendor participation agreements are not transferrable. If you acquire another store, you must apply for WIC authorization at each location. Likewise, should you sell your store, the privilege to conduct WIC business does not transfer to the new owner. For cost-containment purposes, federal regulations require WIC vendors be organized into peer groups. The assigned Vendor Peer Group influences the maximum allowable redemption rate (not to exceed price) your store may charge for individual food items. The "not to exceed" price applied to WIC purchases at your store will be fair and equitable since this price is derived from a peer group of stores which are the same size and/or have a similar volume of WIC sales. Vendor Peer Group review occurs annually.

AUTHORIZED FOODS

WIC authorized foods offer a wide variety of products intended to help WIC participants meet their nutritional goals. The WV WIC Approved Shopping Guide outlines food items authorized for purchase with WIC benefits. This in-store tool is intended to assist customers and cashiers with understanding

“allowed” as well as “not allowed” products to support a smooth shopping experience and transaction. The current version in use is dated July 1, 2015, and is provided in both English and Spanish. A copy of the WIC Approved Shopping Guide must be at each register in your store for quick reference during WIC transactions. Additional copies may be requested by calling the Vendor Management Unit at 304-558-1115.



MINIMUM STOCK

Minimum varieties and quantities of authorized WIC foods are required of all authorized and applicant vendors. An inability to obtain, or continue to maintain, minimum stock requirements in any food category may result in reauthorization denial and/or sanction points assessment. When

signing a Vendor Agreement, the store agrees to keep shelves stocked or have products immediately available on-site to satisfy minimum stock requirements. The specific brands, package sizes and quantities required are outlined on page six and seven of the reauthorization application and in Appendix C of the Vendor Handbook. WIC approved foods must be located in areas readily accessible to WIC participants or within the stocking area; outdated food will not be counted towards minimum stock requirements. If the store does not have the required minimum stock, the discrepancy must be corrected within 72 hours of request by the WV WIC Program or WIC participant.

FORMULA SOURCES

All Authorized WIC Vendors are required to purchase infant formula from a WV WIC approved supplier. The WV WIC Approved Wholesaler/Distributor Listing is available at <http://ons.wvdhhr.org>. Formula not purchased from an approved distributor will not be counted as part of the minimum stock

requirements during monitoring or compliance visits. The purchase of WIC approved infant formula from a non-approved source may result in a sanction. You must notify the WV WIC Program at least 30 days prior to changing your primary source of WIC approved formula as reported on your reauthorization application, and at any time during the Vendor Agreement period. If your store wishes to utilize a supplier that is not included on the WV WIC approved listing, please contact the Vendor Management Unit at 304-558-1115.

E-WIC TRANSACTIONS

The WIC participant has been instructed to inform the cashier that they will be using eWIC prior to starting the transaction. This does not always occur, so an acceptable courtesy is to ask every customer if they will be using a store loyalty card, coupons, eWIC, etc. While stores utilizing a stand-alone

point of sale (POS) device do not experience difficulty with mixed basket transactions (e.g., WIC items combined with purchase of other items), integrated stores are unable to inform participants if the eWIC benefit balance is insufficient, or if a product substitution has occurred, until all items have been scanned. Hence, it is important to provide the first receipt printed from an integrated system. This is intended to advise the participant of items which will be deducted from their WIC benefits **PRIOR** to approving the transaction. Ultimately, participants must be offered all receipts that print from the register and POS device. All systems must allow participants to pay the difference for Cash Value Benefits (CVB) using another form of payment (cash, SNAP, or credit). If an item is not approved when scanned, check the Approved Product List (APL). Integrated stores have 48 hours to apply an APL file to their system once released from the WV WIC Program. Stores with POS devices receive automatic APL updates as long as the machine maintains an internet connection. Vendors may not provide refunds or permit WIC participants to exchange WIC foods for unauthorized items. However, exchanges may be granted for defective or spoiled foods purchased with WIC benefits by replacement with an identical food.



CASHIER GUIDELINES

Acceptable courtesies for cashiers include: allow cents off, buy one get one free (BOGO), store loyalty cards, or discounted items if allowed for other customers.

Unacceptable courtesies for cashiers include: requesting any form of identification, maintaining separate check-out lines for WIC participants only, or offering rain checks. Please see page 28 of the WV WIC Vendor Handbook for a comprehensive list of acceptable and unacceptable courtesies during WIC transactions.



CLAIMS PROCESS

Claims are federally mandated actions required of the WV WIC Program whenever a vendor has committed a violation that results in an overcharge to the WV WIC Program. There may be occurrences in which a vendor has violated federal or state policy, and the investigation uncovers this violation after a vendor has been paid or is about to be paid. Essentially, any time there is a question about a WIC transaction, the WV WIC Program may delay payment to the vendor for any redemptions deemed questionable. If an investigation reveals a violation has occurred after the vendor has received payment for WIC transactions, the WV WIC Program can establish a claim to recover the dollar amount paid to that vendor. Sanctions can also accompany this action, as well as monetary fines.

COMPLAINTS

The WIC Program's success is based on the partnership between the State WIC Agency, local WIC clinics, WIC participants, and authorized WIC vendors. The Program expects both participants and store personnel treat each other with respect and dignity. Participants may file complaints against stores when treated rudely or denied a product which is available for purchase with their eWIC benefits. Likewise, authorized WIC vendors have the right to file complaints against WIC participants who treat store personnel inappropriately, knowingly attempt fraud, or abuse WIC benefits. If you wish to make a complaint, you may contact via phone or email to: your local WIC clinic; the Vendor Management Unit; or complete and fax, mail or email the complaint form located on the WV WIC website or in Appendix K of the Vendor Handbook. All reports of abuse and/or complaints should be made within 10 days after the incident. The complaint will be discussed with the participant and appropriate actions taken to resolve the concern. Buying, selling or otherwise misusing WIC benefits is a crime. To report suspected abuse, call 800-424-9121 or visit www.usda.gov/oig/hotline.

SANCTIONS

Stores that commit violations of WIC Program policies and procedures, federal regulations, state statutes, or the Vendor Agreement shall be sanctioned, resulting in warning letters, sanction point assessment, and/or corrective actions (i.e., mandatory training, administrative fines, or civil money penalty). Vendor violations may be intentional or unintentional. Owners, operators and store managers are responsible for any and all violations conducted by store employees during WIC transactions. The WV WIC Program may refer vendors who commit WIC fraud and/or abuse to federal, state, or local authorities as well as to the Supplemental Nutrition Assistance Program (SNAP). The WIC Program has two levels of violations: state sanctions and federal sanctions. The violations and sanction point assessment schedule are listed in Appendix J of the Vendor Handbook. Sanctions may also result in suspensions, disqualifications, or terminations any time during a Vendor Agreement period. Any authorized WIC vendor disqualified or suspended from SNAP will be automatically terminated from the WIC Program without the right for an appeal. Otherwise, you have the right to appeal a sanction or disqualification decision by requesting a hearing or pre-hearing conference within 15 days of notification of the decision.

INCENTIVE ITEMS

WIC participants may not be singled out or offered incentives such as cash, gifts, or free items. Incentives offered to WIC participants must be offered to all customers, have a nominal value of less than \$2.00, and must be approved by the WV WIC Program.

PROGRAM CHANGES

- A Vendor Advisory Board has been developed to evaluate state vendor management policies and procedures. The first meeting was hosted August 23, 2017. The Advisory Board will be addressing minimum stock requirements by peer group, the peer group classification system, and vendor selection criteria exemptions through fiscal year 2018. Any authorized vendor may contact the Vendor Management Unit if you or a store designee are interested in participating. Travel is reimbursed, and the commitment will be a face-to-face meeting May 10, 2018 in Winfield, WV.
- In response to the Final EBT Operating Rules, revisions to the inadequate participant access policy (WV WIC Policy and Procedure 8.03) were effective November 27, 2017. Inadequate participant access is determined and documented on a case-by-case basis when considering whether the WIC Program should retain a retail store in lieu of termination or disqualification, make an authorization exception decision, waive the selection criteria for the initial authorization of a vendor applicant, or provide a Point of Sale device for eWIC transactions. The policy may be reviewed on our website: <http://ons.wvdhhr.org/>.
- Federal regulations require the WV WIC Program to monitor vendor compliance with WIC transactions on a minimum of 5% of the authorized vendors each year. The compliance buy policy (WV WIC Policy and Procedure 8.09) with effective date of April 10, 2017, was developed to define a process to identify specific areas which may require change in Authorized Vendor's business practices or additional training to prevent program abuse.
- The WV WIC Program is revising its approved food list to ensure reasonable variety and availability to better meet the needs of WIC participants. The changes will become effective October 1, 2018. Changes include the addition of 14.75 ounce cans of salmon, 8 ounce packages of cheese, canned fruits and vegetables, frozen fruits and vegetables, organic infant foods and cereal, corn tortillas, whole wheat pasta, shelf-stable concentrate juice, and yogurt. Please watch the mail for the specific listing of additions and deletions, and brand specific UPCs in Spring of 2018 to assist your store in potentially expanding product offerings or shelf resets. An Approved Product List (APL) file will be provided to corporate and integrated vendors in September 2018 to assist in getting third party processor systems ready for implementation October 1, 2018.
- With the addition of many new WIC food categories, shelf labeling/tags will become mandatory effective January 1, 2019. Beginning October 1, 2018, the WV WIC Vendor Management Unit will begin initial installation of shelf labels in all West Virginia authorized stores using specific state provided tags. Following this initial installation visit, vendors will be responsible for maintenance of shelf labelling.



Bill J. Crouch, DHHR Cabinet Secretary
Dr. Rahul Gupta, Commissioner and State Health Officer

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Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (state or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800)877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or write a letter addressed to USDA and provide in the letter all the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) Mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) Fax: (202) 690-7442; or
- (3) Email: program.intake@usda.gov.

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