



**Department
of Health**

WIC Vendor Stakeholders Forum

February 26, 2015
10:00a.m. – 11:30a.m.

February 27, 2015

**Presenter: April Hamilton
NYS WIC Director**

Have a comment about today's topic(s)?
Type it into the Chat Box on the lower right
side of your screen at any time.

****Send chat messages to HOST only!****



Comments?

- What do we need to be thinking about regarding:
 - Implementation challenges?
 - Unintended consequences?
 - Communication strategies?
- Conference call operator assistance for verbal comments
- WebEx chat box for written comments during the webinar
- WIC shared email box for written comments after the webinar nyswic@health.ny.gov



Objectives of today's forum:

Share and discuss:

- Upcoming changes in the delivery of WIC food benefits
- Vendor policy reminders
- WIC regulatory changes
- Vendor application processes

WIC Program Goals

- The NYS WIC Program seeks to deliver program services efficiently and effectively
- Offer a variety of nutritious foods to promote health and birth-related outcomes
- Strengthen the retail food delivery system
- Improve the WIC shopping experience for WIC participants and WIC vendors
- Maintain relationships with vendors who are already compliant with WIC requirements
- Promote program integrity and preserve public trust
- Additional information about the NYS WIC Program is available at www.health.ny.gov/wic



Federal Requirements

- A 2014 audit conducted by the United States Department of Agriculture (USDA) required immediate programmatic changes in the following areas:
 - Vendor training and monitoring
 - Vendor compliance with state and federal regulations
 - Information systems
 - Participant access criteria
 - Price reasonableness/competitiveness

WIC Check Appearance

New WIC Check Appearance

- Effective April 4, 2015:
 - The Maximum Allowable Reimbursement Level (MARL) (aka the Not-to-Exceed (NTE) amount) will be removed.
- Benefits
 - Promote price competitiveness
 - Improve WIC shopping experience for participants and vendors
 - Minimize WIC participant and vendor disagreements that occur during the WIC transaction over food prices and MARL/NTE

Current WIC Check Appearance

STATE OF NEW YORK

DEPARTMENT OF HEALTH
WIC PROGRAM

PARTICIPANT	24213037 - Test, Child1
AGENCY	242 - Test Agency 242

NOT GOOD BEFORE	NOT GOOD AFTER
12/09/2014	01/07/2015

FOR THESE ITEMS ONLY - REFER TO WIC ACCEPTABLE FOOD CARD

1 16-18 Ounce Peanut Butter
Up to 36-Ounce WIC Cereal

PAY TO:

VOID

CHECK NOT VALID UNLESS STAMPED
ABOVE BY NYS AUTHORIZED WIC
VENDOR AND DEPOSITED BY 02/07/2015

242623942*

NOT TO EXCEED

17.21

PAY EXACTLY

DOLLARS

CENTS

KeyBank, Albany, NY

29-70
213

14343

THE BACK OF THIS CHECK CONTAINS A SECURITY MARK.
DO NOT ACCEPT WITHOUT HOLDING AT AN ANGLE TO VERIFY SECURITY MARK.
IMPROPER USE OF THIS CHECK IS SUBJECT TO STATE AND FEDERAL PROSECUTION.

X

SIGNATURE OF PARTICIPANT AT REDEMPTION MUST MATCH SIGNATURE ON WIC I.D. CARD.
NOT NEGOTIABLE UNLESS SIGNED.



Department
of Health

New WIC Check Appearance:

Effective April 4, 2015

STATE OF NEW YORK							
DEPARTMENT OF HEALTH WIC PROGRAM							
FOR THESE ITEMS ONLY - REFER TO WIC ACCEPTABLE FOOD CARD 1 Pound Dry Beans/Peas/Lentils Up to 36-Ounce WIC Cereal 1 16-18 Ounce Peanut Butter	<table border="1"><tr><td>PARTICIPANT</td><td>30116398 - Suren, PregMom</td></tr><tr><td>AGENCY</td><td>301 - Test Agency 301</td></tr></table>	PARTICIPANT	30116398 - Suren, PregMom	AGENCY	301 - Test Agency 301		
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AGENCY	301 - Test Agency 301						
KeyBank, Albany, NY	<table border="1"><tr><td>NOT GOOD BEFORE</td><td>NOT GOOD AFTER</td></tr><tr><td>12/02/2014</td><td>12/31/2014</td></tr></table>	NOT GOOD BEFORE	NOT GOOD AFTER	12/02/2014	12/31/2014		
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12/02/2014	12/31/2014						
<u>29.70</u> 213	14336						
THE BACK OF THIS CHECK CONTAINS A SECURITY MARK. DO NOT ACCEPT WITHOUT HOLDING AT AN ANGLE TO VERIFY SECURITY MARK. IMPROPER USE OF THIS CHECK IS SUBJECT TO STATE AND FEDERAL PROSECUTION.	<table border="1"><tr><td>PAY TO:</td></tr><tr><td>VOID</td></tr><tr><td>CHECK NOT VALID UNLESS STAMPED ABOVE BY NYS AUTHORIZED WIC VENDOR AND DEPOSITED BY 01/31/2015</td></tr></table>	PAY TO:	VOID	CHECK NOT VALID UNLESS STAMPED ABOVE BY NYS AUTHORIZED WIC VENDOR AND DEPOSITED BY 01/31/2015			
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	X SIGNATURE OF PARTICIPANT AT REDEMPTION MUST MATCH SIGNATURE ON WIC I.D. CARD. NOT NEGOTIABLE UNLESS SIGNED AND DATED.						

NOT GOOD BEFORE	NOT GOOD AFTER
12/09/2014	01/07/2015

242623942²

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17.21	
PAY EXACTLY	
DOLLARS	CENTS

NOT GOOD BEFORE	NOT GOOD AFTER
12/02/2014	12/31/2014

301493784⁶

PAY EXACTLY

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Suppression of MARLs/NTEs

- The MARL/NTE will still be in place during the processing of the check
- Will not be visible to participants and vendors on the face of the check
- Vendor must write in the amount of the WIC transaction prior to the participant signing and dating the check

NOT GOOD BEFORE	NOT GOOD AFTER
12/02/2014	12/31/2014

301493784⁶

PAY EXACTLY

\$.

Suppression of MARLs/NTEs

- Checks issued prior to April 4, 2015 will include the NTE amount
- Vendors may continue to see WIC checks with an NTE through July 2015

STATE OF NEW YORK

DEPARTMENT OF HEALTH
WIC PROGRAM

PARTICIPANT	24213037 - Test, Child1
AGENCY	242 - Test Agency 242

NOT GOOD BEFORE	NOT GOOD AFTER
12/09/2014	01/07/2015

FOR THESE ITEMS ONLY - REFER TO WIC ACCEPTABLE FOOD CARD

1 16-18 Ounce Peanut Butter
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PAY TO:

VOID

CHECK NOT VALID UNLESS STAMPED
ABOVE BY NYS AUTHORIZED WIC
VENDOR AND DEPOSITED BY 02/07/2015

242623942²

NOT TO EXCEED	
17.21	
PAY EXACTLY	
DOLLARS	CENTS

KeyBank, Albany, NY

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14343

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DO NOT ACCEPT WITHOUT HOLDING AT AN ANGLE TO VERIFY SECURITY MARK.
IMPROPER USE OF THIS CHECK IS SUBJECT TO STATE AND FEDERAL PROSECUTION.

X

SIGNATURE OF PARTICIPANT AT REDEMPTION MUST MATCH SIGNATURE ON WIC I.D. CARD.
NOT NEGOTIABLE UNLESS SIGNED.



**Department
of Health**

Process for handling checks that exceed MARLs/NTEs

- WIC checks exceeding NTE amounts will initially be rejected by the WIC banking contractor
 - NYS will not impose any fees for checks that exceed the NTE
- Checks rejected because they exceed the Blind NTE will automatically be paid at the regional area average via ACH transaction
 - No additional action is required by the vendor
- Bank fees may be assessed by the Vendor's Bank of Deposit.
 - Vendors are encouraged to contact their Bank of Deposit for details and negotiate options for waived fees and/or a 90 day grace period

Establishing Not to Exceed Amounts

- NYS DOH will continue to monitor redemption values relative to established MARLs/NTEs and may consider modifications to NTEs as necessary
- Over the next 18 months, a revised system for establishing MARLs/NTEs will be developed to promote cost containment and price competitiveness
- Criteria will include vendor shelf prices, market fluctuations, geographic location and store size



Upcoming WIC Benefit Changes

Enhanced Vegetable and Fruit Benefit

- WIC participants will temporarily be provided Enhanced WIC “Vegetables and Fruits Checks” also known as with Cash Value Vouchers (CVV)
- CVVs are used as a health promotion, obesity prevention strategy to increase vegetable and fruit consumption among WIC participants
- CVVs may be used to purchase Fresh/Frozen/Canned Vegetables and/or Fruits
- Participants are allowed to “pay the difference” if sale exceeds the check amount

Enhanced Vegetable and Fruit Benefit

- CVV amounts will increase by \$4 for certain food packages: children, pregnant women, fully breastfeeding women
- CVVs will contain more than one dollar amount to reflect the \$4 increase
- Participants are allowed to redeem the check for the value of all dollar amounts

WIC Vegetable and Fruit Checks:

Upcoming Changes

STATE OF NEW YORK DEPARTMENT OF HEALTH WIC PROGRAM		PARTICIPANT 30116564 - Scenario6, Mom AGENCY 301 - Test Agency 301	NOT GOOD BEFORE 02/13/2015 NOT GOOD AFTER 03/14/2015
FOR THESE ITEMS ONLY - REFER TO WIC ACCEPTABLE FOOD CARD 1 \$4.00 Fresh / Frozen / Canned NYS Enhanced Veg/Fruit Benefit 1 \$10.00 Fresh / Frozen / Canned Vegetables and /or Fruits		VOID CHECK NOT VALID UNLESS STAMPED ABOVE BY NYS AUTHORIZED WIC VENDOR AND DEPOSITED BY 04/14/2015	301499904 6 NOT TO EXCEED *14.00* PAY EXACTLY DOLLARS CENTS
Participant may pay the difference if sale exceeds check amount. No change allowed if sale is less than the check amount. "Pay Exactly" amount cannot be more than the check amount.			
KeyBank, Albany, NY 29-70 15048 213		X SIGNATURE OF PARTICIPANT AT REDEMPTION MUST MATCH SIGNATURE ON WIC I.D. CARD. NOT NEGOTIABLE UNLESS SIGNED.	
THE BACK OF THIS CHECK CONTAINS A SECURITY MARK. DO NOT ACCEPT WITHOUT HOLDING AT AN ANGLE TO VERIFY SECURITY MARK. IMPROPER USE OF THIS CHECK IS SUBJECT TO STATE AND FEDERAL PROSECUTION.			

1. Not To Exceed (NTE) amount will be removed.
2. WIC check will contain more than one dollar amount to reflect the temporary \$4 increase in funds.
3. Participants are allowed to redeem the check for the value of all dollar amounts.

Upcoming changes to the NYS WIC Acceptable Foods Card – July 2015

- Canned beans
- Whole wheat tortillas
- Whole wheat pasta
- Yogurt
- White potatoes

Vendor Policy Reminders

Formula Policy Reminders

WIC Infant Formula

- Formula in the WIC program is classified in two ways:
 - Contract (aka Standard Formula)
 - Non-Contract (aka Exempt Formula)
- New York State WIC currently contracts with Mead Johnson for iron-fortified standard formulas

Contract vs. Non-Contract Formula

➤ Contract Formula

- Enfamil Premium Infant
- Enfamil AR
- Enfamil Gentlease
- Enfamil ProSobee

➤ Non-Contract Formula (Exempt)

- **Boost**
- **Boost High Protein**
- **Boost Kid Essentials**
- **Ensure**
- **Ensure Plus**
- **PediaSure**
- EleCare
- Nutramigen
- Neocate
- Similac Expert Care
- Alimentum
- Enfamil EnfaCare
- Similac Expert Care Neosure
- Pregestimil
- Enfaport
- Similac PM 60/40
- MCT Oil
- Phenex-1
- Phenex-2
- Phenyl-Free 1
- Phenyl-Free 2
- Portagen



Exempt Formula Policy

- Effective February 1, 2014:
 - Only authorized WIC pharmacies and retail WIC vendors with a pharmacy inside may cash WIC checks for exempt formula.
 - Exempt formula is identified as any product on the “*Approved Formulas in the New York State WIC Program Formulary*” list other than the four contract formulas
 - Includes: Boost, Boost High Protein, Boost Kid Essentials, Ensure, Ensure Plus, PediaSure

Exempt Formula Policy

- Effective November 1, 2014:
 - New message appeared on “Exempt Formula” checks
 - “This WIC check may only be cashed at an approved WIC pharmacy or WIC store with a pharmacy inside the store.”

STATE OF NEW YORK		PARTICIPANT	NOT GOOD BEFORE	NOT GOOD AFTER
DEPARTMENT OF HEALTH WIC PROGRAM		30116567 - pp_pp	01/30/2015	02/28/2015
		AGENCY 301 - Test Agency 301		
FOR THESE ITEMS ONLY - REFER TO WIC ACCEPTABLE FOOD CARD		PAY TO:	301498278 ³	
6 6-Pack 8ozs Ready-to-Feed BOOST		VOID	NOT TO EXCEED *97.92*	
This WIC check may only be cashed at an approved WIC pharmacy or WIC store with a pharmacy inside the store.		CHECK NOT VALID UNLESS STAMPED ABOVE BY NYS AUTHORIZED WIC VENDOR AND DEPOSITED BY 03/31/2015	PAY EXACTLY	
KeyBank, Albany, NY			DOLLARS CENTS	
29-70 213		15030		
THE BACK OF THIS CHECK CONTAINS A SECURITY MARK. DO NOT ACCEPT WITHOUT HOLDING AT AN ANGLE TO VERIFY SECURITY MARK. IMPROPER USE OF THIS CHECK IS SUBJECT TO STATE AND FEDERAL PROSECUTION.		X SIGNATURE OF PARTICIPANT AT REDEMPTION MUST MATCH SIGNATURE ON WIC I.D. CARD. NOT NEGOTIABLE UNLESS SIGNED.		

WIC Infant Formula

- WIC formula must be purchased from a supplier who is approved by the NYS WIC Program
- The list of approved suppliers can be found at http://www.health.ny.gov/prevention/nutrition/wic/docs/infant_formular_supplier_list.pdf

Suppliers/Wholesalers

- Vendor Applicants must provide the WIC Program with:
 - Primary grocery wholesaler and infant formula supplier(s)
 - Proof of purchase from this/these supplier(s)
- If this information changes during the course of the contract, notify the VMA within 15 days of the change

Check Cashing: Exempt Formula

- Effective April 4, 2015:
 - WIC banking contractor will reject payment to unauthorized vendors for exempt formula checks
 - Vendors must submit a copy of pharmacy license to VMA by February 27th, in order to continue accepting WIC checks for Exempt Formula

Check Cashing: Exempt Formula

- Any exempt formula checks redeemed in violation of WIC Program Policy may be subject to recovery of funds paid, civil monetary penalties, or disqualification
- Bank fees from the vendor's bank of deposit may also be incurred

Record Keeping

Vendor Recordkeeping

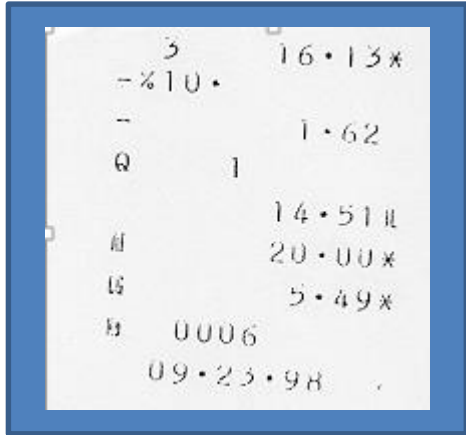
- All WIC vendors must maintain invoices and purchase slips of all food purchases (including formula) for a period of three years
- An acceptable invoice or purchase slip must contain:
 - Name/address of the supplier/wholesaler
 - Name/address of the purchasing store
 - Date of purchase
 - An accurate description of the item (ex. stock number/UPC/size)
 - Quantity purchased
 - Unit price
 - Total cost



Vendor Recordkeeping

- Invoices must be prepared entirely by the wholesaler or retailer from whom the WIC vendor made the purchase
- Invoices/receipts for infant formula must be from an approved infant formula supplier

Examples of unacceptable receipts

[illegible]

Thank You

Vendor Recordkeeping

- Records must be made available to the NYS DOH and Vendor Management Agencies (VMAs) upon request
- Vendors not in compliance with these record-keeping requirements may be subject to recovery of funds, civil money penalties, or disqualification from the WIC program

Changes in Ownership

Changes in Ownership Status

- WIC Vendors are required to report any and all changes in ownership to the VMA 30 days in advance of the change
- WIC Vendor authorization is not transferrable to new store owners or business entities
- New store owners and business entities must complete the WIC Vendor Application process and be authorized by the NYS WIC Program to accept WIC checks

Changes in Ownership Status

- Common examples of a change in ownership include, but are not limited to:
 - Store is sold to a new owner
 - Sole owner Incorporates or becomes a Partnership
 - Partner is added or removed
 - New Federal Employer Identification Number (FEIN) is assigned

Proposed WIC Regulatory Changes

NYS WIC Vendor Regulations

- Federal WIC regulations, Section 246.12 (g) require that States develop and implement vendor selection and enrollment criteria
- Current criteria in NYS has resulted in the authorization of more vendors than necessary to ensure participant access and program integrity

NYS WIC Vendor Regulations

- Proposed changes to NYS regulations (Sections 60-1.1 and 60-1.13 of Title 10 of the Codes, Rules and Regulations of the State of New York) will revise criteria to determine an appropriate number of vendors needed to ensure participant access

Rulemaking Process:

- Proposed Rule
 - NYS publishes the proposed regulatory language
- Public Comment
 - Allows the public to submit written comments to DOH within a prescribed timeframe
 - DOH reviews and responds to public comments and may modify proposed regulatory language, if necessary
- Final Rule
 - NYCRR is amended upon publication of a Notice of Adoption in the New York State Register

Vendor Applications



Vendor Applications

- Vendor application processes will be revised if/when NYS Regulations change
- Business as usual until such time

Vendor Applications

- Influx of applications in the last 4 months has resulted in a significant backlog
- The NYS Department of Health performs background checks on vendor applications
- Applications are being reviewed on a first come, first served basis
- Applications will not be expedited unless a demonstrated need for participant access exists as determined by DOH

Vendor Communications

Vendor Communications

- Vendor Management Agency
- Stakeholder Webinars
- Vendor Bulletins
- Vendor Letters
- Write to nyswic@health.ny.gov

Which Vendor Management Agency Should I Contact?	
If your store is located in this county:	CONTACT
DOWNSTATE	
Kings, Nassau, Queens, Richmond, Suffolk	Public Health Solutions WIC Program Vendor Management Agency 40 North St., 2 nd Floor New York, New York 10013 Telephone: (845) 619-6400 Fax: (845) 619-6194 Director: Rudy Scari
Bronx, New York (Manhattan), Orange, Putnam, Rockland, Westchester	Sound Shore Medical Center WIC Program Vendor Management Agency 1600 East 213 th Street Bronx, New York 10466 Telephone: (718) 654-2690 Fax: (718) 654-3127 Director: Nadira Parker
UPSTATE	
EASTERN COUNTIES: Albany, Clinton, Columbia, Delaware, Dutchess, Essex, Franklin, Fulton, Greene, Hamilton, Montgomery, Otsego, Rensselaer, Saratoga, Schoharie, Schoharie, Sullivan, Ulster, Warren, Washington	Commission on Economic Opportunity for the Greater Capital Region, Inc. WIC Program Vendor Management Agency 2321 Fifth Avenue Troy, New York 12180 Telephone: (518) 272-6012 Fax: (518) 867-4350 Director: Penny Beauford
CENTRAL COUNTIES: Broome, Cayuga, Chemung, Cortland, Herkimer, Jefferson, Lewis, Madison, Oneida, Onondaga, Oswego, St. Lawrence, Tioga, Tompkins	Onondaga County Health Department WIC Program Vendor Management Agency 175 West Onondaga Street Syracuse, New York 13202 Telephone: (315) 435-5238 Fax: (315) 435-5877 Director: Tanya Reese
WESTERN COUNTIES: Allegany, Cattaraugus, Chautauque, Chemung, Erie, Genesee, Livingston, Monroe, Niagara, Orleans, Schoharie, Seneca, Steuben, Wayne, Wyoming, Yates	SPCC WIC Program Vendor Management Agency 148 S. Fitzhugh St. Rochester, New York 14608 Telephone: (585) 738-6282 Fax: (585) 738-6286 Director: Chelsea Manghan



Comments?

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 - Implementation challenges?
 - Unintended consequences?
 - Communication strategies?
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Department
of Health