

Orientation to NC WIC Program What is WIC?

What is the role of vendors?

How to become a WIC vendor

Guidance for completing required forms

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- The Special Supplemental Nutrition Program for **W**omen, Infants and **C**hildren
- Federally funded by the United States Department of Agriculture (USDA)
- State-administered by the NC Department of Health and Human Services
- WIC clinical services provided by contracted public health agencies
- NC WIC-authorized vendors are contracted with The NC Department of Health and Human Services and Local WIC Agencies

# WIC Works!

- In NC, every WIC dollar spent on a pregnant woman saves multiple dollars in newborn health care costs
- Children on WIC have better diets, particularly for vitamin C, thiamin, protein, niacin and vitamin B<sub>6</sub>



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# How Stores Become Authorized WIC Vendors

- Vendors work primarily with the Local WIC Agency
  - Orientation and training
  - $\bullet \ \, \text{Completing required forms in DocuSign} \\$
  - Technical assistance
  - Monitoring
- Local WIC Agency submits required vendor forms to the State WIC Agency
- Vendor is authorized by State WIC Agency

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# Types of Vendors

- Vendors under Corporate Agreement
  - 20 or more WIC-authorized stores
  - Food Lion\*
- Harris Teeter\*
- Ingles\*
- Lowe's\*
- CVS - Target
- Wal-Mart\*- Publix\*
- Walgreens
- \* Pharmacies within the corporate store that is also WIC approved
- Vendors not under Corporate Agreement

# Vendor Applicant's Responsibility

- Attend training by Local WIC Agency
- Meet all selection criteria
- Complete required forms accurately and completely using DocuSign
- Understand and follow all Federal and State regulations and rules
- Train all staff handling eWIC transactions

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# Local WIC Agency's Responsibility

- Inform Vendor Applicant there is a deposit and monthly lease fee required for a stand-beside device
- Provide orientation and training to store owner, manager or designee
- Respond to questions about required forms and application process
- Review required forms for completeness
- In a timely manner:
   Perform Pre-authorization Monitoring

  - Send required forms to State WIC Agency
     Ensure Vendor is set up to accept eWIC prior to final authorization
    - State Agency staff will complete L3 certification testing once equipment has been received by vendor or FIS has determined the vendor's cash register system meets the eWIC requirements

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# Local WIC Agency's Responsibility continued

Local Agency staff will also:

- Inform Vendor of Vendor ID number
- Provide a supply of NC WIC Transaction Guides and
- Address any questions from vendor

# **Selection Criteria**

- Established by U.S. Department of Agriculture and NC WIC Program
  - ✓20 items
- Vendor Manual pages 7-8

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# Supplemental Nutrition Assistance Program (SNAP)

- Must be authorized as SNAP vendor
- Cannot become WIC authorized vendor if currently disqualified from SNAP or paying a civil money penalty for which the disqualification period would still be running
- SNAP is also known as Food and Nutrition Services in NC

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Competitive Pricing and Price Limitations

- Peer group structure
  - √ Peer groups have not-to-exceed (NTEs) prices for each WIC supplemental food and contract formula

# Annual Vendor Training





Vendors, their store manager or other authorized store representative are required to attend annual vendor training Failure to attend annual training by September 30<sup>th</sup> of each year will result in termination of the WIC Vendor Agreement

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NC Peer Group System				
	VENDOR PEER GROUPS			
#	STORE TYPE	LOCATION	DESCRIPTION	
5	Pharmacy	Statewide	Free-standing pharmacy that sells a limited variety of foods	
6	Convenience Store	Statewide	Retailer with a limited assortment of grocery items	
7	Mass Merchandiser and Commissary	Statewide	Retailer that sells a wide variety of merchandise but also carries groceries and has store locations in most or all states  Grocery store operated by US Defense Commissary on a military base	
8	Independent Grocery	Urban	Retailer that primarily sells groceries with fewer than 11 store locations	
9	Independent Grocery	Non-urban	Retailer that primarily sells groceries with fewer than 11 store locations	
10	Regional Grocery Chain	Urban	Retailer that primarily sells groceries with at least 11 store locations and operates in 2 or more states	
11	Regional Grocery Chain	Non-urban	Retailer that primarily sells groceries with at least 11 store locations and operates in 2 or more states	

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- Pharmacy pharmacy retailer that sells limited variety of food
- Mass Merchandiser retailer that sells a wide variety of merchandise, but also carries groceries and has outlets in most or all states
- Commissary grocery store operated by US Defense Commissary within the confines of a military installation
- Convenience Store retailer with limited assortment of grocery items



- Independent Grocery a vendor that primarily sells groceries in fewer than eleven store locations
- Regional Grocery Chain a vendor that primarily sells groceries in eleven or more store locations whose parent company operates in more than two states

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# Geography

- Geography determined by using Rural Urban Commuting Area (RUCA) file and documentation from USDA Economic Research Service (ERS)
  - Classifies census tracts using measures of population density, urbanization, and daily commuting; and
  - Identifies urban, large rural, small rural, and isolated areas.

# Not-to-Exceed (NTE) Prices

- NTEs are set at 2 standard deviations above the average price for supplemental foods within a vendor peer group. NTEs are not set for exempt infant formula, WIC-eligible nutritionals or fruits and vegetables purchased with cash-value Benefits (CVBs)
  - ✓ Calculated for each WIC supplemental food
  - ✓ Based on redemption of all vendors in the peer group
  - ✓ Obtained from the eWIC system
  - ✓ Different NTEs for different sizes of the same food even if it is the same brand
- Foods and Contract Formula

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### NTEs vs. Current Shelf Price

- Vendors must charge current shelf price
- Vendors **DO NOT** have to charge the NTE
- Charges for WIC transactions must be less than or equal to charges to regular customers
- Vendors cannot set their prices at the NTE and charge other customers less. This is a federal violation for which a vendor can be disqualified

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- Vendor must redeem at least \$2,000 annually in WIC supplemental food sales
  - If not, the Vendor Agreement will be terminated
  - The store must wait 180 days to reapply



- NTEs are set for milk-based and soy-based formulas
- Milk-based powder:
- Soy-based powder:
- (Brands must be NC contract formula)

\*\* Minimum Inventory item

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- NTEs do not apply to exempt infant formula or WIC-eligible nutritionals
- Open market system (shelf price)
- Exempt infant formula and WICeligible nutritionals can be found on the Vendor Connection webpage
- NTEs do not apply to fruits and vegetables purchasable with cashvalue benefits (CVBs)

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# Purchasing and Providing Infant Formula From State-Approved Sources

- WIC Reauthorization Act of 2004 requires vendors to purchase infant formula from a State-approved source
- Infant formula, exempt infant formula, and WIC-eligible nutritionals provided to WIC customers must be purchased directly from the State-approved sources
- Must keep invoices and receipts showing sources of formula
- Failure to do so will result in termination of the WIC Vendor
   Agreement



## **WIC Price Lists**

- Price List Submission
  - Vendor applicants must submit price lists at initial authorization which have prices at or below the NTE for their assigned peer group
  - Authorized vendors must submit a price list if requested by the State WIC Agency

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Applicant Prices Must Be At Or Below NTE

PRICE OF WIC FOODS

> NTE =

WILL NOT BE AUTHORIZED

Opportunity to resubmit within 30 days to become authorized

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# **Resubmitted Price List**

- Written denial
- Must wait 90 days to reapply





- A predominantly WIC vendor, also known as a PWV, is a vendor that derives more then 50% of their food sales from WIC food benefits.
- PWVs cannot be authorized NC WIC vendors

  - If a vendor applicant is expected to be a PWV, the application will be denied
     If a vendor becomes a PWV anytime during authorization, the Vendor Agreement will be terminated
  - Must wait 90 days to reapply
- Selection Criteria Listed in Vendor Agreement

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- State WIC Agencies are required to identify vendors that derive more than 50% of their annual food sales revenue from WIC food redemption
- The USDA classifies these vendors as Above 50% Vendors
- In North Carolina, these stores are called Predominantly WIC vendors (PWVs)
- State WIC Agency collects data to determine total SNAP-eligible food sales as part of the PWV identification process



- Vendors must maintain a record of all SNAP-eligible food sales
- SNAP-eligible food sales are sales of those foods that can be purchased with SNAP (Food Stamp) benefits
- Vendors are required to provide the State WIC Agency, upon request, a statement of the total amount of revenue derived from SNAP-eligible food sales and written documentation to support the amount of sales claimed



- What is SNAP-eligible?
  - Any item that may be purchased with Supplemental Nutrition Assistance Program (SNAP) benefits
- Food Sales
  - The sale of all foods that could be purchased with SNAP benefits.
  - Food Sales Fact Sheet

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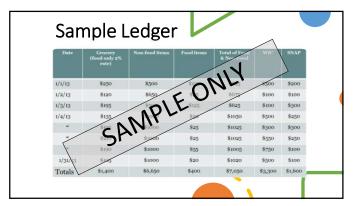
- Each year select vendors are asked to submit SNAP-eligible food sales as part of PWV determination
- Request sales records, financial statements, reports, tax documents or other verifiable documentation
- Keep a monthly copy in files

Verifiable Documentation of SNAP-eligible **Food Sales** 

- •Ledger Totals

  ✓ Daily, Weekly or Monthly cash register receipts totaled in a ledger (DO NOT send actual cash register receipts)
- Some registers have the ability to separate out different types of items
- It is highly recommended that Vendors maintain this type of system. Makes this annual process easier.
- Sales and Use Tax returns are not always sufficient for documenting complete SNAP-eligible food sales
  'These returns may be used along with ledger totals to verify a vendor's documentation of SNAP-eligible food sales

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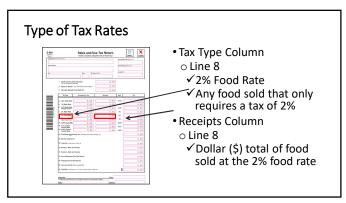


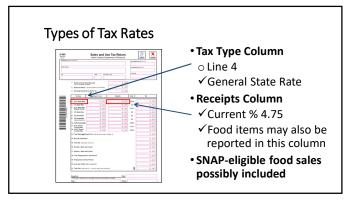
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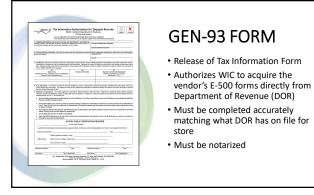


# Different Types of Documentation

- Sales and Use Tax Return
- If your store files electronically, it is recommended that you keep a copy for your records as this documentation may be requested as additional documentation
- Additional information may still be requested from the State WIC Agency if these forms are submitted as documentation







# Submitting False Information

- Vendors must not submit false, erroneous, or misleading information to the State or Local WIC Agency
- Failure to comply will lead to denial of a vendor applicant's authorization or termination of an authorized vendor's WIC Vendor Agreement
- The store must wait 1 year to become eligible to reapply for WIC vendor authorization

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# **Equitable Treatment**

- Section 246.12(h)(3)iii of the Federal WIC Regulations requires WIC-authorized vendors to offer WIC customers the same courtesies that are offered to other (non-WIC) customers
  - √WIC customers cannot be excluded from in-store promotions
- Failure to provide the same courtesies to WIC customers is a violation of Federal WIC Regulations, thereby constituting a vendor violation
  - ✓ Discrimination on the basis of WIC participation
  - ✓ May result in disqualification

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# Definitions

- Incentive item an item or service provided by a vendor to attract customers or encourage customer loyalty
- Vendor discount an in-store promotion that reduces the price or increase the quantity of a given product; a vendor discount could also result from the use of a coupon
- In-store promotion a sales promotion in which a vendor may offer incentive items, vendor discounts or coupons in order to increase sales of certain items or to encourage customer loyalty to the vendor

### Incentive Items

- Incentive items must be approved by the North Carolina WIC Program prior to providing them to WIC customers
- The North Carolina WIC Program may approve incentive items-including food, merchandise or services-that a vendor obtained at no cost or that cost a vendor less than \$2.00.
   Vendors may also provide food sales or specials (vendor discounts) that involve no cost or cost the vendor less than \$2.00

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# Approval for Incentive Items

- To obtain approval to provide incentive items to WIC customers, a vendor must submit a written request directly to the North Carolina State WIC Agency.
- WIC vendors **cannot** offer incentive items to WIC customers without approval from the State WIC Agency

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# Approval for Incentive Items continued

- Following is a list of prohibited incentive items:
  - Assistance applying for WIC benefits
  - Transportation for WIC customer to and/or from vendor premises
  - Delivery of WIC supplemental foods
  - Lottery tickets
  - Cash gifts
  - Any other service that results in a conflict of interest, any item that incurs a liability to the WIC Program or violates any Federal, State or Local law or regulation

# **In-Store Promotions and Coupons**

- Allowing WIC customers to use vendor discounts in WIC purchases reinforces wise food purchasing practices
- Vendor staff/cashiers should be well-informed about the use of different types of in-store promotions and coupons
  - ✓ Understand the temporary nature of some offers in order to reduce confusion at the point of sale
  - √ Know how to properly transact eWIC using in-store promotions and coupons

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# Types of In-Store Promotions and Coupons

- Buy One, Get One Free (BOGO)
- Buy One, Get One at a Reduced Price
- Free Ounces Added to Food Item by Manufacturer (Bonus Size Items)
- Transaction Discounts
- Store Loyalty/Rewards Cards
- Manufacturers' Cents Off Coupons

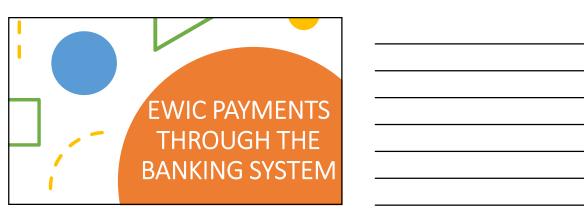
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In-Store Promotions: BOGOs and eWIC Per the USDA WIC EBT Operating Rules:

- In a true BOGO, the free item cannot be deducted from the WIC customer's benefit balance or reported to the State Agency
- If a food item is advertised as "Buy one, get one free" with the disclosure that each item is sold for half the advertised price, both food items shall be redeemed using WIC benefits and shall reflect an item price of half the advertised price in the transaction
  - $\checkmark \text{Quantity discount}$
  - ✓ If using this methodology for BOGOs, vendors must put this disclosure in store advertising







# Automated Clearing House (ACH)

- Vendors will receive payment for all eWIC transactions processed in their store through an Automated Clearinghouse (ACH) system in which payments are directly deposited into their bank account
- With eWIC, most items will have an NTE
- If a vendor submits an item price that is above the NTE (for the items with NTEs), their payment will be decreased to the NTE amount for the item

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# Changes in Vendor Bank \ Accounts

- Vendor applicants that need a stand-beside device, must submit their most current banking information to the eWIC contractor (FIS)
  - Vendors can contact FIS at 1-800-894-0050 Monday- Friday from 8:00 AM to 5:00 PM CT for account changes or updates
- Vendor applicants with integrated cash register systems will provide banking information to their third-party processor to ensure payment for eWIC transactions



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# FIS Retailer Helpdesk

- FIS Retailer Helpdesk for stand-beside device assistance:
  - Retailer Helpdesk: 1-844-230-0836 (available 24/7)
  - Email: merchant.services.support@fisglobal.com

# **Vendor Reimbursement Policy**

- Vendors may not ask the WIC customer to make up the difference in price for eWIC transactions
- Vendors are responsible for keeping their prices at or below the NTE for their peer group

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Customer can pay for an amount that exceeds the CVB maximum

- ✓ Example: \$10.00 CVB
- ✓ Total cost of WIC fruits and vegetables is \$10.25. Customer can pay 25¢ plus tax on the 25¢ or use other acceptable methods to pay for the outstanding balance, e.g SNAP which is not taxable
- ✓ Vendor submits an eWIC transaction for \$10.00 in CVBs

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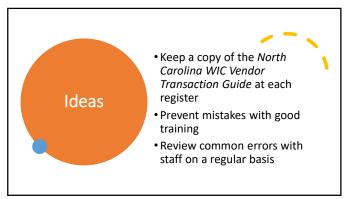
- Vendors must properly transact the WIC supplemental foods that are listed on the customer's food benefit balance
- Vendors cannot substitute one food subcategory for another unless granted a waiver by the State WIC Agency
  - Federal violation that carries 1year disqualification
    - Example: Substituting 1% Milk/Skim Milk for 2% Milk or Whole Milk

# Use of Scanning Sheets Prohibited

- Vendors <u>cannot</u> use a collection of UPC barcodes on Scanning Sheets, cash registers, computers, tablets, cell phones or any other similar electronic devices to transact eWIC
- Failure to comply with this policy could result in termination of their WIC Vendor Agreement



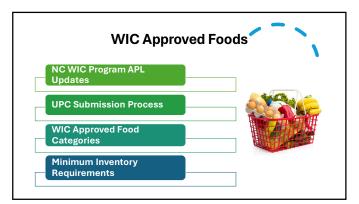
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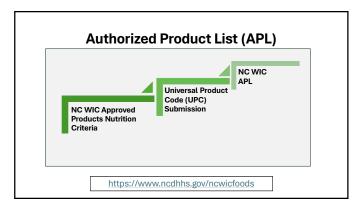


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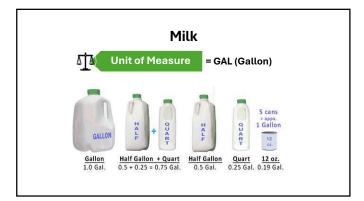




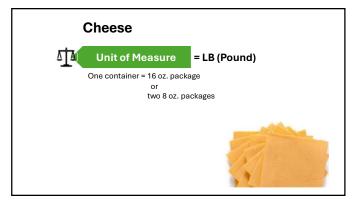
# Supplemental Foods for Infants Food Packages I, II, III Supplemental Food Packages I, III, III Supplemental Food Packages I, III, III Supplemental Food Packages I, III, IIII Food Packages I, FFA III, FFA IIII, FFA III, FFA III, FFA III, FFA III, FFA I

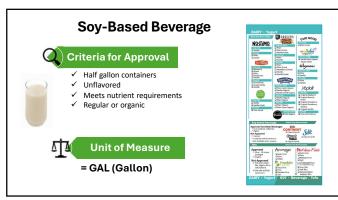
# Supplemental Foods for Children and Women Food Package's IV, V, VI and VII Supplemental Food Ontegory Children Women Food Package's Perpanant and Partially Breastfeeding Partially Breastfeeding Pool Package's Perpanant Andrew Pool Package's Perpanant A

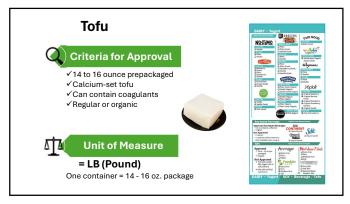




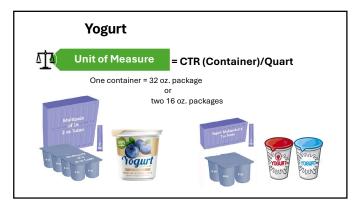




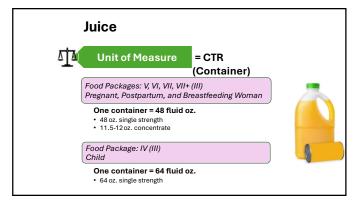




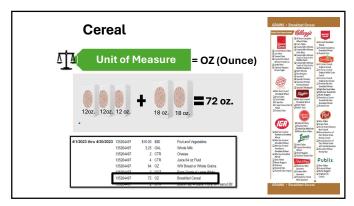












# Soft corn tortillas Soft corn tortillas Whole grain/whole wheat bread/Buns/Rolls Brown rice Whole wheat pasta Whole grain Barley Bulgur Oats

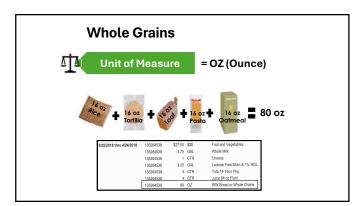
# Criteria for Approval 16 ounce loaf 100% whole-grain and/or whole-wheat bread/Buns/Rolls Regular or organic





# Whole Wheat Pasta Criteria for Approval 16 ounce packages 100% whole grain and/or whole wheat All shapes Regular or organic







Specialty eggs such as low-cholesterol, cage free, stress-free, free-range, vitamin enriched, antibiotic-free, vegetarian-fed-hen, no-growthhormones, fertile

✓ Regular or organic



= DOZ (Dozen)



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# Beans, Peas, and Lentils



- (Any type) plain, unseasoned mature
- 16-ounce bag or box
- Regular or organic
- ✓ Canned
  - (Any type) plain, unseasoned mature
  - Regular or low sodium
  - 15 to 16-ounce can
  - Regular or organic





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# Beans, Peas, and Lentils

# Food Benefits

### Mature

- Black Beans ■ Butter Beans
- Lima Beans Garbanzo Beans
- Soybeans
- Lentils
- Split Peas

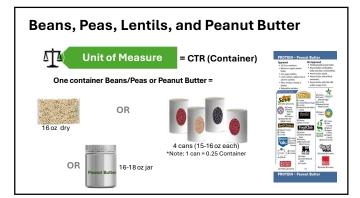
### Cash-value Benefits

# Vegetable

- Green Beans
- Green Peas
- Snap PeasSnow Peas
- Snap Beans
- Garden Peas ■ Wax Beans

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-	unseconed, packed in visite, with or without house.
	<ul> <li>✓ Chunk Light Tutur Ans broad, obin.</li> </ul>
	unreused saled in sole.
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Not Approv	
Not Approv	Spoil or hand boiled eggs.

# Peanut Butter Criteria for Approval 16 to 18-ounce container Regular or less sugar, salted or unsalted Regular or reduced-fat varieties Plain, creamy, crunchy or chunky Regular, "natural", or organic





### **Infant Formula**

WIC participants must purchase what is specified on their food benefit account:

✓ Brand

√Size

✓ Type

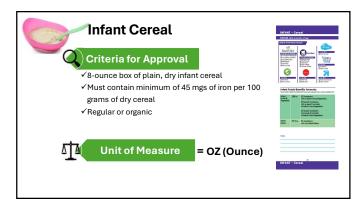
✓ Quantity



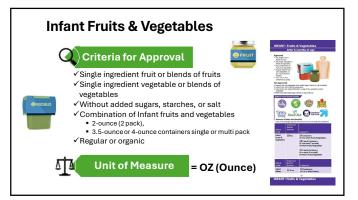
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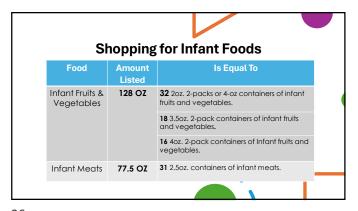


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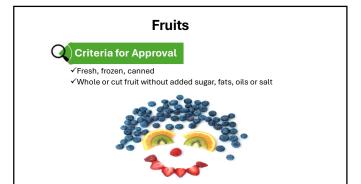
- ✓ Fresh, frozen or canned fruits and vegetables
- ✓ Regular or organic



= \$ Cash Value Benefit Dollar Amount



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# **Fruits and Vegetables**



# **NOT Approved**

- Herbs used for flavoring
- Infant fruits and vegetables\*
- Mature legumes (dry or canned beans, peas, lentils)\*
- Ornamental or decorative fruits or vegetables
- Catsup or other condiments
- Dried fruits or vegetables
- Salsa
- Sauerkraut

- Pickled vegetables, olives
- Fruit and/or vegetable juices\*
- Fruit baskets
- Fruit leathers and fruit roll-ups
- Fruit or vegetable items on party trays
- Fruit or vegetable items on salad bars
  - \* See other approved criteria: 'Infant fruits and vegetables'; 'Beans, Peas, Lentils' and "Juice".

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Minimum Inv	Minimum Inventory Requirements		
Food Category	Required Package Size	Required Quantity	
Milk (Skim/1% Milk <b>AND</b> Whole Milk)	Gallons	Skim/1% milk = six (6) gallons Whole Milk =two (2) gallons *2 types required*	
Cheese	One (1) pound = 16 oz.	Two (2) pounds of one approved type	
Juice (Single Strength*)  *concentrated juice does not have inventory requirement	48 oz. container <b>AND</b> 64 oz. container *2 sizes required*	48 oz. container = four (4) containers 64 oz. container = four (4) containers	
Cereal	12+ oz. package	Six (6) packages *required to have 2 types whole grain cereal*	

Minimum Inventory Requirements			
Food Category	Required Package Size	Required Quantity	
Bread	16 oz. loaf of bread, 16 oz. package of tortillas	Two (2) loaves or packages <u><b>OR</b></u> One (1) loaf & one (1) package	
Brown Rice	14 to 16 oz. package	Two (2) packages	
Eggs	One (1) dozen	Two (2) packages	
Beans, Peas, Lentils	One (1) pound dry beans, peas, lentils	Two (2) packages of dry beans, peas, lentils *Only one 1 (one) approved type required*	
Peanut Butter	16 to 18 oz. containers	Two (2) containers	
Fish	5 to 6 oz. containers	Six (6) cans	

Minimum Inventory Requirements		
Food Category	Required Package Size	Required Quantity
Infant Formula (contract milk-based AND soy-based powder infant formula)	11.0-14.0 oz. cans	Milk-based Infant Formula = Eight (8) cans Soy-based Infant Formula = Four (4) cans
Infant Cereal	8 oz. container	Six (6) boxes  *only one (1) approved type required*
Infant Fruits and Vegetables (Fruit <b>AND</b> vegetable)	3.5 to 4 oz. containers	64 ounces total (or ~16-18 containers)  *required to have one (1) type of fruit and one (1) type of yegetable*

Food Category	Required Package Size	Required Quantity
Fruit (CVB) (Canned Fruit)	14 to 16 oz. can	10 cans * Two (2) varieties required
Vegetable (CVB) (Canned Vegetables)	14 to 16 oz. can	10 cans * Two (2) varieties required

# North Carolina WIC Program Resources



posterio etto aposes.	wantaning transmission
September of transport	Dec
The Authorized Houlest 200 (MK)	5/84
Majory/hell-Police	No.
Single-Section Design	Britis Rajor, Odis
hopestyles	60
Smooth Foodow/Supreses . 15	565
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**Summary** 

The NC WIC Program offers a variety of nutritious foods as part of the Authorized Product List (APL).

The APL includes all approved products meeting the nutrition criteria for WIC foods and submissions for new products are considered on a continual basis.

Each supplemental food category has a specified 'unit of measure'.

Required minimum inventory of approved products ensures products are available to WIC customers.

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# Questions



#### After Authorization

- Process EBT transactions accurately, in a timely manner, and in accordance with the terms of the North Carolina WIC Vendor Agreement. Maintain compliance with the EBT Processor Vendor Agreement, the FNS EBT operating rules, standards and technical requirements, WIC Program Rules, and state and federal regulations, and statutes
- Maintain certified eWIC system that is available for WIC redemption processing during all hours the store is open
- Request eWIC Processor re-certify the vendor's eWIC system if it is altered or revised in any manner that impacts eWIC redemption

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#### After Authorization continued

- Should a vendor that uses stand-beside device(s) to transact eWIC decide to upgrade to an integrated system, the vendor must:

  Inform the eWIC processor before making <u>any</u> change, so that it can be determined if the system needs to be certified and testing can be performed to establish connectivity.
  - Inform the State WIC Agency so that Level III certification testing can be performed prior to use of the system in the store.
- Testing performed with the eWIC processor for a new system that a vendor chooses to use does not supersede the L3 certification testing that must be performed by the State WIC Agency.
- These procedures also apply to vendors who alter the integrated system that they currently use or decide to use a different integrated system altogether.

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#### After Authorization continued

- The State WIC Agency, not the eWIC processor, must grant final approval before a new system or system that has been altered is used by a vendor
- Vendors must inform the State WIC Agency if their integrated cash register system will be altered or revised in any manner that impacts eWIC redemption. This is a requirement detailed in the Terms of Vendor Agreement. Failure to do so may result in the termination of their WIC Vendor Agreement

After Authorization continued	
Integrated Vendors:	
There is no need for WIC customers to separate their items when	
transacting WIC benefits. Do not make them separate their WIC items from non-WIC items. All items can be rung up together; however, the WIC customer must swipe their eWIC card <u>first</u> before any other tender	
type is applied to ensure that the proper items are deducted from the WIC customer's benefit balance before another tender type is used for	
purchase.	
112	
	]
After Authorization continued	
<ul> <li>It is important to continue to follow policies and procedures to maintain authorization</li> </ul>	
Federal regulations provide process to support program integrity	
1	
442	
113	
Termination of WIC Vendor Agreement	
<ul> <li>Change in ownership will result in termination of the WIC Vendor Agreement by the State WIC Agency</li> </ul>	
Change in store location of more than three miles from the store's	
previous location will result in termination of the WIC Vendor Agreement by the State WIC Agency	

• Cessation of operations, withdrawal from the WIC Program or disqualification from the WIC Program will result in termination of the WIC Vendor Agreement by the State WIC Agency

## **Business Integrity Standards**

- May not have any owners, officers or managers who have been convicted of or had a civil judgment entered against them in the last six years for any activity indicating a lack of business integrity
- Convictions or civil judgments include, but is not limited to: fraud, antitrust violations, embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, making false claims, or obstruction of justice

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- A vendor shall not have any owner(s), officer(s) or manager(s) who are employed, or who have a spouse, child, or parent employed by the State WIC Program or the Local WIC Program serving the county in which the vendor conducts business
- A vendor shall not have an employee who handles transactions of WIC food or cash-value benefits who is employed by or has a spouse, child or parent who is employed by the State WIC Agency or Local WIC Agency
- Ask your staff if they have a spouse, child or parent who works for the WIC program
   If they do, report it to your vendor contact at your Local WIC Agency

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### Violations and Sanctions

- A **violation** is an infraction of WIC Program regulations or other requirements
- A sanction is an administrative action taken as a result of a pattern of violations and may include:
  - ✓ Disqualification or civil money penalty in lieu of disqualification







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#### **Vendor Violations and Sanctions**

- 10A NCAC 43D.0710 states a vendor shall be disqualified from the WIC Program for:
  - One year for three occurrences within a 12-month period of failure to properly transact WIC food benefits by manually entering the EBT card number or entering the PIN into the POS instead of the WIC customer, scanning the UPC or PLU codes from UPC codebooks or reference sheets when completing a WIC customer's EBT transaction, not entering the correct quantity and item price, or not providing the WIC customer with a receipt that shows the items purchased and the customer's remaining food benefit balance.

# Vendor Violations and Sanctions continued As a Reminder: • 10A NCAC 43D.0708 (20)(j) states that the vendor must: Scan or manually enter Universal Product Codes (UPC) only from approved supplemental foods being purchased by the WIC customer in the types, sizes, and quantities available on the WIC customer's EBT account. The vendor shall not scan codes from UPC codebooks or reference sheets; • This requirement is also listed in the current Terms of Vendor Agreement. 121 Vendor Violations and Sanctions continued • 180 days for three occurrences within a 12-month period of failure to make EBT point of sale equipment accessible to WIC customers to ensure that EBT transactions are completed in accordance with 10A NCAC 43D .0708(20). • 90 days for three occurrences within a 12-month period of failure to comply with minimum lane coverage criteria required by 7 CFR 246.12(z)(2) and 10A NCAC 43D .0708(20)(c). 122 **Pattern of Occurrences** • The nature of the violation and the number of violations determine the sanction imposed

123

disqualification

the violation

• A pattern of occurrences for the same violation can result in

• The number of occurrences needed to establish a pattern depends on

## **Examples of Patterns of Violations**

- Three occurrences within a 12-month period of failure to stock required minimum inventory
- Two occurrences of vendor overcharging within a 12-month period
- Three occurrences of not making eWIC equipment accessible to the WIC customer
- Three occurrences within a 12-month period of failure to mark the current shelf prices of all WIC supplemental foods

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- State WIC Programs are required to identify and investigate highrisk vendors
- NC sometimes works with the U.S. Office of Inspector General for investigations
- See Vendor Manual

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## **Compliance Buys**

- Undercover purchases by a compliance investigator
- May make multiple visits over one vear
- Vendors may receive a letter from the State WIC Agency if problems are noted



## **Vendor Overcharging**

- Intentionally or unintentionally charging more for supplemental food provided to a WIC customer than a non-WIC customer or charging more than the current shelf price for supplemental food provided to a WIC customer
- Overcharging is a serious federal violation that can lead to vendor disqualification
- This violation is uncovered during compliance buys
- Vendor overcharging is **NOT** the same as charging over the NTE

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## Overcharging?

- A vendor looks at the NTE to determine what they could charge the WIC customer for a gallon of whole milk. The current shelf price is \$2.79. They charge the WIC customer \$3.69 for the gallon of whole milk because that is the current NTE for the month. Is this vendor overcharging?
- A vendor charges a WIC customer \$6.50 for WIC approved cheese.
   The current shelf price is \$6.50.The NTE is \$6.29. Is this vendor overcharging?

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## **Inventory Audits**

- A vendor must make available at any reasonable time and place **ALL**:
  - Program-related records of vendor
    - Purchase records, Sales records, Bank statements, Credit card statements, or any other personal or business financial documents that pertains to their business
- MUST be retained for 3 years or until audit pertaining to these records is resolved, whichever is later

## **Purchase Documentation Requirement**

- Specific requirements for purchase documentation of WIC supplemental foods
- Invoices, receipts, purchase orders, and any other proofs of purchase for WIC supplemental foods must include the following:
- 1. The name of the seller and be prepared entirely by the seller or on the seller's business letterhead;
- 2. The date of purchase and the date the authorized vendor received the WIC supplemental food at the store if this date is different;
- 3. A description of each WIC supplemental food item purchased, including brand name, unit size, type or form, and quantity.

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## **Violations Detected During Inventory Audit**

- Claiming reimbursement for the sale of an amount of a specific supplemental food item which exceeds the store's documented inventory of that supplemental food item for six or more days within the 60-day period. The six or more days do not have to be consecutive
- Inability to provide records or providing false records is also a violation

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- Overpayment to a vendor as determined by an inventory audit or compliance buy investigation requires repayment to the WIC Program
- The State WIC Agency assesses a claim against the vendor in the amount of the overpayment
- Vendors can request a conference to review the claim, but this action cannot be appealed

#### Claims Assessed for Vendor Violations

- If a vendor is assessed a claim, the vendor must reimburse the State WIC Agency in full or agree to a repayment plan within 30 days of written notification of the claim
  - ✓ Failure to do so will lead to termination of the Vendor Agreement
- A vendor applicant cannot be authorized if any of the vendor applicant's owners, officers or managers currently have or previously had a financial interest in a WIC Vendor that was assessed a claim by the WIC Program and the claim has not been paid in full

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## Disqualification

- Ranges from 60 days to permanent
- WIC status may impact status with SNAP (formerly the Food Stamp Program)
- Vendor has right to appeal



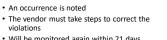
134

## Routine Monitoring

- Includes, but is not limited to:
  - Review of formula invoices and receipts

  - Treatment of WIC customers
  - Inventory of WIC approved foods subject to minimum inventory requirement
  - Ensure stand-beside equipment for use in transacting eWIC is accessible, if necessary
- Visits are documented and if violation(s) found:
  - An occurrence is noted

  - Will be monitored again within 21 days



## Reporting Customer Service Issues (Complaints)

- Vendors should report customer service issues (complaints) to the Local WIC Agency concerning:
  - WIC customer inappropriate behavior
    - Vendors are not required to tolerate behavior from a WIC customer that they would not tolerate from other customers
  - Complaints about other vendors
- May use form in the Vendor Manual



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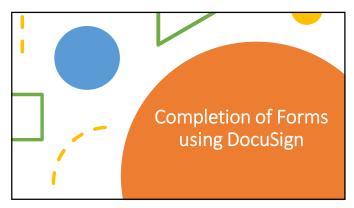


## **Completing Required Forms**

- Vendors to be authorized through corporate agreements must complete:
  - Application (DHHS 3282) completed through the vendor portal
  - Verification of Attendance
- All other retail stores must receive and complete:
   Agreement (DHHS 2768) ending date 9/30/2027
   Terms of the WIC Vendor Agreement

  - Application (DHHS 3282)
  - Price List (DHHS 2766)
  - Above Fifty-Percent Vendor Self Declaration form
  - Verification of Attendance
  - Vendor Site Survey

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Received through DocuSign

- Vendor Agreement (DHHS 2768) ending date 9/30/2027
- Terms of the WIC Vendor Agreement
- Application (DHHS 3282)
- Price List (DHHS 2766)
- Above Fifty-Percent Vendor Self Declaration form

Received from Local Agency

- Verification of Attendance
- Email form

## Using DocuSign

- You will receive an email from the State Agency via DocuSign
- Click on the "Review Documents" button



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### **Vendor Process**

- Once you have clicked "Review Documents," this screen will open
- You will click the "Continue" button to review and complete the application documents (forms)



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## Fields to Complete

 Red boxes will appear on the fields required for completion



## Adopting a Signature

- When you click on the first Sign button, the "Adopt Your Signature" screen will appear.
- Signature options
  - Type your name and initials and change the style to look more like your handwritten signature
  - Draw or "write" signature by selecting the draw tab and using the mouse
  - Upload a clear picture of signature for use



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### **SIGNATURE**



Once signature and initials have been adopted, when you click any space labeled sign or initial, the adopted signature will appear.

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#### Form Fields

- Certain fields triggered once specific fields selected.
  - Blue arrow at question 14 shows that the check box for Integrated has been selected

    - Sub questions and corresponding fields have now been highlighted
       The value-added reseller is not highlighted in red because this is an optional field
- Green arrow at question 15 shows a drop-
- down option. Ensures vendors only choose State approved sources
- Also available for question 15



## **Vendor Process Completed**



Once you have gone through all documents and completed all required fields, you will be able to click the "Finish" button.

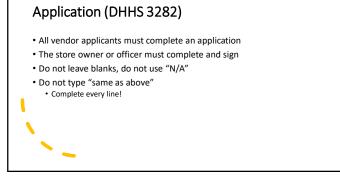
148

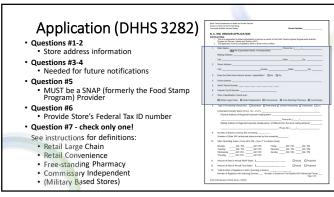
### Final Screen

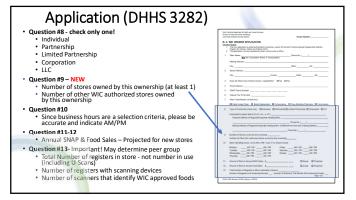
- You may see this screen upon completion
  - Can select "No Thanks"
- All parties will receive a copy of the fully completed forms

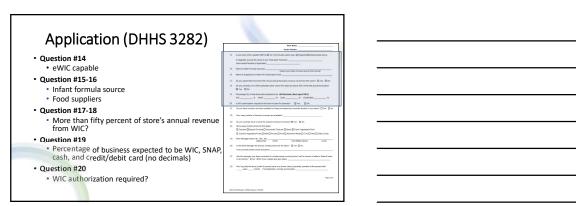


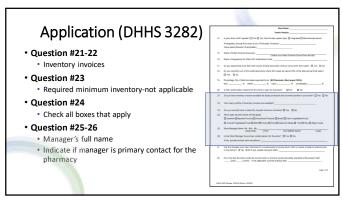
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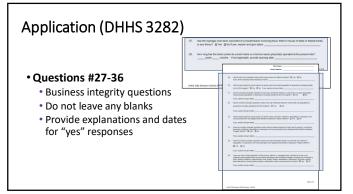












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## **Ownership Data Section**

- Stores under corporate agreement do not complete this section
- Stores not under corporate agreement should list all owners/officers
- For more than TWO owners, complete page 4a
- Incorporated or Limited Liability Companies (LLC) list officers



## Page 4a

Additional ownership page

For vendors with more than 2 owners or officers

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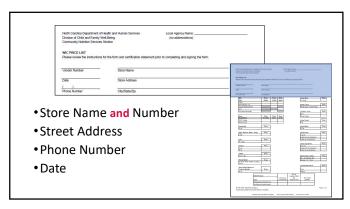
## Page 5

- Read application statement
- Store Owner/Officer signs
- Check all answers before signing to avoid delay of application
- Page 5 is also signed by the Local Agency before being sent to the State WIC Agency

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## WIC Price List (DHHS 2766)

- Must be completed individually by each:
  - Independent stores
  - Convenience stores
  - Commissaries
- Role of Price List
  - A criteria for selecting authorized vendors



## **Required Prices**

- Whole and skim/low fat milk (gallon)
   Cheese (16oz.)
- Two types of cereal whole grain
- Eggs (large white)
- Juice, 48 oz. container
- Two types of juice, 64 oz. container
- Dry beans, peas & lentils
- Peanut butter
- Tuna

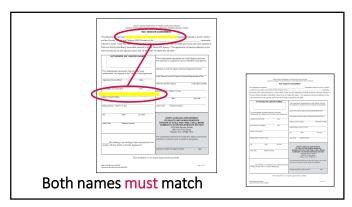
- Rice
- Bread and/or Tortillas
- Infant cereal
- Infant formula
  - Milk-based and Soy-based
  - Powder
- Infant Fruits
- Infant Vegetables

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## **WIC Vendor** Agreement

## Read and understand all terms!









### **Technical Assistance**

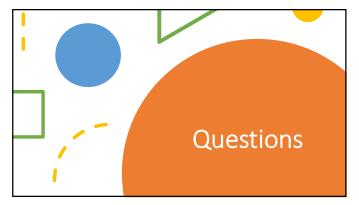
- WIC-approved foods
- Completing required forms
- eWIC transaction issues
  - Triage form to be completed (refer to Vendor Manual)
- Customer service issues (complaints)

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## **Training Employees**

- Vendor owners/managers are responsible for training all cashiers on WIC as it pertains to the following:
  - WIC-approved foods
    - WIC Vendor Transaction Guides
  - Allowing same courtesies to WIC customers as non-WIC customers
  - Processing eWIC transactions

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### Assurance of Civil Rights Compliance

The vendor hereby agrees that it will comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 20004 et seq.): Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.): Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794); the Age Decomption of 1975 (42 U.S.C. 6104 et seq.): Title II and Title II of the inventions with Disabilities Act (ARA) of 1985 as amended by the ADA Amendment Act of 2008 (42 U.S.C. 1231-12189) and as implemented by Department of Justice regulations 21 28 CFR Parts 53 and 36; Executive Order 13166, "Improving Access to Services for Persons with United English Profitied (August 11, 2000): all provisions required by the implementing regulations of the U.S. Department of Agriculture (7 CFR Part 15 et seq.); and FNS directives and guidelines to the effect that no person shall, on the ground of race, color, national origin, age (including gender identity and sexual orientation), or disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity for which the agency receives Federal financial assistance from FNS; and hereby gives assurance that it will immediately take measures necessary to effectuate this agreement.

This assurance is given in consideration of and for the purpose of obtaining any and all Federal financial assistance, grants, and loans of Federal funds, reimbursable expenditures, grant, or donation of Federal property and interest in property, the detail for Federal property of the interest in such property or the triming of services without consideration or at a nominal consideration, or at a consideration that is reduced for the purpose of assisting of services without consideration or at a nominal consideration, or at a consideration that is reduced for the purpose of assisting of receiption, or in recognition of the public interest to be served by such sale, lease, or furnishing of services to the recipient, or any improvements made with Federal financial assistance extended to the Program applicant by USDA. This includes any Federal agreement, arrangement, or other contract that has as one of its purposes the provision of cash assistance for the purchase of food, and cash assistance for purchase or rental of food service equipment or any other financial assistance extended in reliance on the representations and agreements made in this assumnce.

This assurance is binding on the vendor, its successors, transferees, and assignees as long as it receives assistance or retains possession of any assistance from the Department. The person or persons whose signatures appear below are authorized to sign this assurance on the behalf of the vendor.

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#### **USDA Nondiscrimination Statement**

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for once cold rights—entity.

Program information may be made available in languages other than English. Persons with disabilities who require afternative means of communication to obtain program information (e.g., thinkin, large print, audiciduse, American Sign Language), shooted contact the responsible state or local agency that administration to program or USDA's TARGET Center at (2017) 220-2200 (prices and TTV) or contact USDA TARGET center at (2017) 220-2200 (prices and TTV) or contact USDA TARGET (period to 100) 250-2200 (prices and TTV) or contact USDA TARGET (period to 100) 250-2200 (prices and TTV) or contact USDA TARGET (period to 100) 250-2200 (prices and TTV) or contact USDA TARGET (period to 100) 250-2200 (prices and TTV) or contact USDA TARGET (period to 100) 250-2200 (prices and TTV) or contact USDA TARGET (period to 100) 250-2200 (prices and TTV) or contact USDA TARGET (period to 100) 250-2200 (prices and TTV) or contact USDA TARGET (period to 100) 250-2200 (prices and TTV) or contact USDA TARGET (period to 100) 250-2200 (prices and TTV) or contact USDA TARGET (period to 100) 250-2200 (prices and TTV) or contact USDA TARGET (period to 100) 250-2200 (prices and TTV) or contact USDA TARGET (period to 100) 250-2200 (prices and TTV) or contact USDA TARGET (period to 100) 250-2200 (prices and TTV) or contact USDA TARGET (period to 100) 250-2200 (prices and TTV) or contact USDA TARGET (period to 100) 250-2200 (prices and TTV) or contact USDA TARGET (period to 100) 250-2200 (prices and TTV) or contact USDA TARGET (period to 100) 250-2200 (prices and TTV) 250-2200 (prices a

To file a program discrimination complaint, a Complairant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <a href="https://doi.org/10.1002/journal-10.1002/journal

- 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: (833) 256-1665 or (202) 690-7442; or
- 3. email: program.intake@usda.gov

This institution is an equal opportunity provider

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## Thank you!