



What is WIC?

- The Special Supplemental Nutrition Program for Women, Infants and Children
- 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



How Stores Become Authorized WIC Vendors

- Vendors work primarily with the Local WIC Agency
 Orientation and training
- 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
- 5



* Pharmacies within the corporate store that is also WIC approved

 \bigcirc

Vendors not under Corporate Agreement

Vendor Applicant's Responsibility

- Attend training by Local WIC Agency
- Meet all selection criteria
- Contact Solutran for preparation in accepting eWIC
 Retailer Helpdesk: 1-866-730-7746 (available 24/7)
 Email: <u>ebtservices@Solutran.com</u>
- Complete required forms accurately and completely using DocuSign
- Understand and follow all Federal and State regulations and rules
- Train all staff handling eWIC transactions

7

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 Solutran has determined the Vendor's cash register system meets the eWIC requirements

8

Local WIC Agency's Responsibility continued

Inform Vendor of Vendor ID number (to be used on Vendor forms only)
Provide NC WIC Vendor Transaction Guides

Address any questions from the Vendor

 \bigcirc

Selection Criteria

■Established by U.S. Department of Agriculture and NC WIC Program √20 items

Vendor Manual pages 7-8

10

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

11

Competitive Pricing and Price Limitations

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

 \bigcirc



	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						
_	Mass Merchandiser	Statewide	Retailer that sells a wide variety of merchandise but also carries groceries and has store locations in most or all states						
7	and Commissary		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						





- 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

Store Types continued

 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

17



 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 cashvalue Benefits (CVBs)

- Calculated for each WIC supplemental food
- Based on redemption of all vendors in the peer group
- ✓Obtained from the eWIC system
- $\checkmark \ensuremath{\text{Different}}$ NTEs for different sizes of the same food even if it is the same brand

Foods and Contract Formula

19

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

20

Minimum Redemption

Vendor must redeem at least \$2,000 annually in WIC supplemental food sales
If not, the Vendor Agreement will be terminated

 \bigcirc

The store must wait 180 days to reapply

Contract Infant Formulas							
 NTEs are set for milk-based and soy-based formulas 	Gerber Good Start Soy®						
• Brands must be contract infant formulas:	 12.9 oz cans Powder ** 						
• Gerber Good Start Gentle®	 8.1 oz Concentrate Containers 						
• 12.7 oz cans Powder **	 33.8 oz Ready to Feed (4 pack of 						
 8.1 oz Concentrate Containers (GentlePro) 	8.45 oz Containers)						
• 33.8 oz Ready to Feed (4 pack of 8.45	• Gerber Good Start SoothePro®						
oz Containers) (GentlePro)	 12.4 oz cans Powder 						
	** Minimum Inventory item 🔘						

WIC Approved Foods with No NTE

 NTEs do not apply to exempt infant formula or WIC-eligible nutrifionals

Open market system (shelf price)

 Exempt infant formula and WIC-eligible nutritionals can be found at www.nutritionnc.com/wic/vendor.htm

 NTEs do not apply to fruits and vegetables purchasable with cash-value benefits (CVBs)

23

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 WICeligible 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













Predominantly WIC Vendor (PWV) continued

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 SNAPeligible food sales as part of the PWV identification process

29



- 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



Appropriate Documentation

- 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

32

Verifiable Documentation of SNAPeligible 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



















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
 - $\checkmark WIC$ customers cannot be excluded from instore 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

40

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

41

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

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

43

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
- premisesDelivery of WIC supplemental foods
- Delivery of wild supplemental loc
 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

44

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

C

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

46

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

✓Quantity discount

✓If using this methodology for BOGOs, vendors must put this disclosure in store advertising







50

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

 \bigcirc



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

53



 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



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 	Marian Andrew Strategie St					

56

ldeas

•Keep a copy of the North Carolina WIC Vendor Transaction Guide at each register

 \bigcirc

Prevent mistakes with good trainingReview common errors with staff on a regular basis



























- Plastic, glass, cans or refrigerated paper cartons
- Organia unitation
- Organic varieties

























.












































































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.

115

After Authorization continued

 It is important to continue to follow policies and procedures to maintain authorization

 Federal regulations provide process to support program integrity

116

Termination of WIC Vendor Agreement

- Change in ownership will result in termination of the WIC
 Vendor Agreement by the State WIC Agency
- 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

118

Conflict of Interest 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 Program or Local WIC 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.

119

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



Violations Any intentional or unintentional action of a vendor's owners, officers, managers, agents or employees, with or without knowledge of management, that violates the WIC Vendor Agreement or federal or state statutes, regulations, policies or procedures governing the Program

121

Types of Violations

 Federal violations for which vendors are subject to disqualification

- Federal violations carry longest disqualification periods
- $\checkmark\mbox{Found through compliance buys and inventory audits}$
- •State violations for which vendors are subject to disqualification

 Usually found during compliance buys and Local WIC Agency monitoring

122

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 EBI 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.

124

Vendor Violations and Sanctions continued

- 180 days for three occurrences within a 12month 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).

125

Pattern of Occurrences

- •The nature of the violation and the number of violations determine the sanction imposed
- A pattern of occurrences for the same violation can result in disqualification
- •The number of occurrences needed to establish a pattern depends on the violation



Compliance Buys and Audits

-State WIC Programs are required to identify and investigate high-risk vendors

•NC sometimes works with the U.S. Office of Inspector General for investigations

-See Vendor Manual

oné year

128

Compliance Buys

Undercover purchases by a compliance investigatorMay make multiple visits over



•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

130

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?



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:
- The name of the seller and be prepared entirely by the seller or on the seller's business letterhead;
- The date of purchase and the date the authorized vendor received the WIC supplemental food at the store if this date is different;
- A description of each WIC supplemental food item purchased, including brand name, unit size, type or form, and quantity.

133

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

134



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

136

Disqualification

-Ranges from 60 days to permanent

•WIC status may impact status with SNAP (formerly the Food Stamp Program)

Vendor has right to appeal



137

Routine Monitoring

- Includes, but is not limited to:
- Review of formula invoices and receipts
- Price checks
- 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
- The vendor must take steps to correct the violations
- Will be monitored again within 21 days





140



- 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 complete:
- Agreement (DHHS 2768) ending date 9/30/2024
- Terms of the WIC Vendor Agreement Application (DHHS 3282)
- Price List (DHHS 2766)
- Above Fifty-Percent Vendor Self Declaration form
- Verification of Attendance

Completion of Forms using DocuSign

142

Completing Required Forms in DocuSign

Received through DocuSign

• Vendor Agreement (DHHS 2768) ending date 9/30/2024

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











SIGNATURE	
By regime 1 are writing these received and will any writing thread of the day Agenerated.	
By pages 1 for writing these receased and with analysis do the for a function of the for Agreement.	
Once signature and initials have been adopted, when you click any space labeled sign or initial, the adopted signature will appear.	
	\bigcirc









Application (DHHS 3282)

- •All vendor applicants must complete an application
- •The store owner or officer must complete and sign
- Do not leave blanks, do not use "N/A"
- Do not type "same as above"
 Complete every line!





Application (DHHS 3282)

- Question #13
- eWIC capable (integrated cash register system)
- Question #14-15
- Infant formula source
- Food suppliers
- Question #16-17
- More than fifty percent of stores annual revenue from WIC?
- Question #18
- Percentage of business expected to be WIC, SNAP, cash, and credit/debit card (no decimals)

Question #19

WIC authorization required?



Application (DHHS 3282)

Questions #26-35

Business integrity questionsDo not leave any blanks

- Provide explanations and dates for
- "yes" responses

















Required Prices

Rice

- Whole **and** skim/low fat milk (gallon)
- •Cheese (16oz.) Two types of cereal – whole grain

 Eggs (large white) - Juice, 48 oz. container

• Juice, 64 oz. container

- Infant cereal Infant formula

Bread and/or Tortillas

- Milk-based and Soy-based
- Powder
- Infant Fruits Infant Vegetables
- Dry beans, peas & lentils Peanut butter
- Tuna













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







Thank you!

 \bigcirc