Virginia WIC Program Retailer Manual

Index

Effective Date: June 1, 2014 Supersedes: New

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Background Information: The Authorized Retailer's Role

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Understanding the important role authorized retailers play in providing foods to eWIC cardholders is critical. Contact the store's assigned Vendor Liaison to address questions that have not been answered in this manual.

I. Retailer Agreement

A. Retailers must sign a Retailer Agreement and meet all selection and authorization criteria before they can accept eWIC food benefits.

B. eWIC benefit cards are the sole payment method used by the WIC Program. An eWIC benefit card is issued to each eligible cardholder for the purpose of purchasing selected foods.

II. Performance Guidelines

A. Authorized retailers are responsible for adhering to all program requirements outlined in the Retailer Agreement, Retailer Manual, federal and state regulations, and other written procedures distributed by the WIC Program.

B. Authorized retailers must ensure that cashiers and other store personnel understand and comply with all program requirements when accepting and processing eWIC food benefits and participating in the WIC Program.

C. Authorized retailers are encouraged to contact the State WIC Office for guidance if they suspect eWIC cardholders need additional education or counseling in using eWIC food benefits including:

1. Understanding what foods are WIC approved;

2. Using the eWIC benefit card; and

3. Any other eWIC cardholder issues.

Background Information: Who Gets WIC and Why

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Pregnancy and early childhood are among the most significant times for growth and development. Many women, infants, and children face dietary challenges that threaten their current well-being and future health. To promote healthy eating habits and minimize the negative impact of these challenges, the WIC Program provides nutrition education and supplemental foods to eligible applicants.

I. Benefits

A. The benefits of the WIC Program are plentiful. The WIC Program provides:

1. Supplemental nutritious foods including infant foods, fruits and vegetables, and whole grains;

2. Nutrition education and health counseling; and

3. Screening and referrals to other beneficial programs.

II. Eligibility

A. To be eligible for the eWIC food benefits, applicants must meet all of the following criteria:

1. Categorical (must be a pregnant, postpartum, or breastfeeding woman; infant to one year of age; or child to five years of age);

2. Residential (must live in the state in which they apply for benefits);

3. Income; and

4. Nutritional risk (medical and dietary conditions).

III. Demographic Information

A. Examples of people the WIC Program serves include (but are not limited to) college students, young parents, single mothers, legal guardians, foster children, military families, and homeless individuals.

IV. Responsibility

A. eWIC cardholders must uphold conditions identified in the signed Participant's Rights and Responsibilities Form and the Participant Handbook. For a copy of the Participant Handbook, please contact the store's assigned Vendor Liaison.

Background Information: Customer Service

Effective Date: June 1, 2014 Supersedes: New

Excellent customer service is key to business success. It must extend from product delivery to developing bonds with customers. It is essential that a positive customer experience is provided. Stores can create such experiences by anticipating customers' needs and setting their expectations. Tips outlined in this section apply to all customers, not just eWIC cardholders. eWIC cardholders are to be treated the same as other customers; they are neither to be discriminated against nor shown preferential treatment. This section should be used to supplement other customer service training resources used by stores.

I. First Impression

A. Customers begin developing opinions about the store and the service it provides with the first visit. A bad first impression is difficult to overcome.

II. The Customer

A. Customers appreciate:

1. Assistance;
2. Equity;
3. Respect; and
4. Discretion.

B. A customer's mood affects their shopping experience.

C. If a customer is upset or negative, don't take it personally. Step back, take a deep breath, and stay calm.

D. Focus on what can be done. Offer and give assistance.

E. If a situation escalates, follow the store's procedure for handling difficult customer situations.

III. Delivering Excellent Customer Service

A. The following actions promote excellent customer service:

1. Make customer service a priority and a primary focus;
2. Give the best customer service possible;
3. Personalize interactions to meet customers' needs;
4. Respect customers;
5. Listen to customers;
6. Solve problems quickly; and
7. Seek out opportunities to improve service quality.

Communications and Resources: Retailer Manual Use

Effective Date: June 1, 2014 Supersedes: January 1, 2011

This manual provides administrative guidance pertaining to authorized stores that accept eWIC benefit cards.

I. Retailer Manual Use

A. The Retailer Manual provides instructions to assist authorized retailers and applicants. It serves as the source for information about proper management practices as well as requirements and responsibilities of authorized retailers. This manual reflects changes due to the implementation of the Electronic Benefit Transfer (EBT) system known as eWIC. Most questions can be resolved by referring to one of the following resources:

   1. State WIC Regulations;
   2. Retailer Agreement;
   3. WIC Approved Food List;
   4. Infant Formula Flyer; and
   5. Educational materials (e.g., eWIC Cashier Handbook).

B. Information about general terms and conditions, selection and authorization processes, sanctions, compliance, and program violations, disqualifications, and administrative appeal processes, along with other information essential to the successful operation of a participating store, can be found in the State WIC Regulations. The State WIC Regulations are the final authority if any discrepancies exist between available program resources.

C. Any issues not addressed in this manual should be directed to the store's assigned Vendor Liaison.

References:

- State WIC Regulation 12VAC5-195-540. Retailer manual for the Virginia WIC Program.

Communications and Resources: Electronic Access and Supplementary Information

Effective Date: June 1, 2014 Supersedes: New

These guidelines define electronic access and reference information for materials that supplement this manual. It is critical that retailers maintain internet and email access to ensure efficient participation in the WIC Program.

I. Electronic Access

A. The most up-to-date version of this manual and its references are available at the WIC Program's website.

B. Regulations referenced in this manual may be accessed via the following URL:

http://www.vahealth.org/DCN/Vendor/retailstore.htm

C. Forms are only available electronically. Resources, including forms, referenced in this manual may be accessed via the following URL:

http://www.vahealth.org/DCN/Publications/pubswic.htm

D. Authorized retailers must provide email addresses to the State WIC Office and contact a member of the Vendor Compliance Team to report email address updates.

E. In the event of internet connectivity issues, contact the store's assigned Vendor Liaison for resource access guidance. Refer to Emergency Procedures if necessary.

Communications and Resources: Contacting the State WIC Office

Effective Date: June 1, 2014 Supersedes: January 1, 2011

These guidelines define the various methods the State WIC Office uses to communicate with authorized retailers.

I. General Communications

A. Contact information for the WIC Program is available online and in the Emergency Procedures section of this manual. Refer to the Vendor Compliance Team Directory on the WIC Program's website for individual addresses and telephone numbers.

B. In contacting the State WIC Office, ask to speak to a member of the Vendor Compliance Team. Record the name of the representative, the date and time of the call, the guidance provided, and any other relevant information given in case further action is needed.

C. Certified letters sent by the State WIC Office typically require follow up action(s) to be taken by either the store owner or manager. Advise store personnel to give you any certified letters that are sent by the WIC Program.

II. Retailer Advisory Meetings

A. Attendance at Retailer Advisory Meetings is optional. However, these meetings serve as a communication forum between authorized retailers, corporate contacts, professional trade organizations, major food suppliers, and the WIC Program. Attendees meet at least quarterly with State WIC Office staff to discuss proposed and existing policies and procedures as well as changes or recommendations for performance improvement. Retailer Advisory meetings are exclusively advisory and not policy-making.

B. Minutes from these meetings can be obtained from the WIC Program's website or by contacting the store's assigned Vendor Liaison.

III. Working with WIC Retailer Bulletin

A. The Working with WIC Retailer Bulletin is an educational tool used to inform retailers and other interested parties about WIC Program changes, compliance issues, eWIC processing tips, cashier reminders, and alerts. The bulletin is published at least biannually.

B. A special edition of the Working with WIC Retailer Bulletin is produced and distributed to document that annual training has been provided to retail stores as required by state and federal regulations.

C. Retailers are encouraged to take the following actions after receiving this bulletin:

   1. Read the bulletin and share relevant articles with others, i.e., managers, cashiers, and bookkeepers;

   2. Post a copy of the bulletin in a central location for others to read;

   3. Place the bulletin in the program binder for future reference; and

   4. Use the bulletin as a resource to conduct cashier and store personnel training.

D. An electronic version of the Working with WIC Retailer Bulletin is available on the WIC Program's website. Physical copies of recently published Working with WIC Retailer Bulletins may be obtained by contacting the store's assigned Vendor Liaison.

References:

- State WIC Regulation 12VAC5-195-290. Communications.
- State WIC Regulation 12VAC5-195-520. Training and education.

Communications and Resources: Crossroads Vendor Portal

Effective Date: June 1, 2014 Supersedes: New

These guidelines define how authorized retailers and new applicants are to use Crossroads Vendor Portal.

I. Crossroads Vendor Portal

A. Crossroads Vendor Portal has the following capabilities:

1. Submit a new store application;
2. Submit price survey information, if requested; and
3. Manage account access.

B. The State WIC Office will notify authorized retailers if prices need to be submitted or updated. Otherwise, eWIC benefit redemptions are used to complete price competitiveness reviews.

C. Crossroads Vendor Portal is the only option for submitting new store applications and price surveys. Paper forms are not used by the WIC Program.

References:

- State WIC Regulation 12VAC5-195-280. Enrollment procedures.

Communications and Resources: Emergency Procedures

Effective Date: June 1, 2014 Supersedes: January 1, 2011

These guidelines define the procedures that authorized retailers must use whenever eWIC cardholders are unable to shop and make purchases during a store's normal operating hours.

I. Emergency Procedures

A. Retailers shall inform the State WIC Office as early as possible if any situation that negatively impacts eWIC cardholders' ability to shop at an authorized store location occurs. This includes but is not limited to natural disasters, flooding, inclement weather, hazardous road conditions, mechanical/electrical failures, public health emergencies, or any other adverse condition which significantly reduces the store's normal operating hours.

B. For emergency situations outlined in these guidelines, retailers must send written notice within 72 hours of the qualifying event's occurrence through one of the following methods:

1. Email: wic_retailer@vdh.virginia.gov;

2. Fax: Vendor Compliance Team at 804-864-7854 or 804-864-7851; or

3. US Mail: Attn: Vendor Compliance Team
   Division of Community Nutrition
   Virginia Department of Health
   109 Governor Street, 9th Floor
   Richmond, VA 23219.

C. In written notices sent to the State WIC Office the retailer must include the following information:

1. Store name and WIC ID number;

2. Contact name;

3. Daytime phone number; and

4. Brief description of the emergency or event that has necessitated limited availability.

D. Phone notification to the State WIC Office at 804-864-7800 may be made as a last resort if none of the other methods are practical.

II. Emergency Contact Information

A. Annually or upon request, retailers are required to provide written updates to their emergency contact information to the State WIC Office. Updates should include the following information:

1. Store name and WIC ID number;
2. Emergency contact names;
3. Daytime phone number;
4. Cell phone number (if available); and
5. Email address.

B. Retailers are required to provide a written notice within 14 calendar days of any changes to the emergency contact information previously provided.

III. Emergency Alerts

A. The WIC Program may use an automated phone messaging service to advise retail stores about statewide or local emergencies that directly impact eWIC service delivery and/or redemption procedures.

References:

- Supplemental Information Form

Communications and Resources: Closures and Relocations

Effective Date: June 1, 2014 Supersedes: January 1, 2011

These guidelines define the actions an authorized retailer must take in preparation for a store to be closed temporarily, closed permanently, or relocated to a new physical location.

I. Closure

A. Retailers must inform the State WIC Office in writing when an authorized store is to be closed temporarily or permanently. The written notification must include the following information:

   1. Store name and WIC ID number;

   2. Store physical address;

   3. Contact name, phone number, and address (to be used during closure); and

   4. Actual or projected closure period (including start and end dates).

B. For reactivation after a temporary closure, the authorized retailer must give the State WIC Office at least 15 calendar days advanced written notice to reactivate their account.

C. Retailers using stand-beside devices may require equipment maintenance before they can resume accepting eWIC food benefits. Retailers are required to contact the eWIC Processor for guidance at least 15 calendar days prior to resuming eWIC transactions.

D. Under no circumstances shall a retailer accept eWIC food benefits during the period indicated as temporarily or permanently closed.

II. Relocation

A. Retailers must inform the State WIC Office when an authorized store is to be relocated. A written relocation notice shall include the following information:

   1. Store name and WIC ID number;

   2. Store physical addresses (both current and new);

   3. Contact name, phone number, and address; and

   4. Date of relocation.

B. Retailers using stand-beside devices may require equipment maintenance before they can resume accepting eWIC food benefits. Retailers are required to contact the eWIC Processor at least 15 calendar days prior to resuming eWIC transactions.

References:

- State WIC Regulation 12VAC5-195-420. Change of location.
- State WIC Regulation 12VAC5-195-430. Change due to closure.
- Retailer Agreement

Communications and Resources: Retailer Supply Requests

Effective Date: June 1, 2014 Supersedes: January 1, 2011

These guidelines define the procedures that authorized retailers, corporate contacts, and certified trainers must use to request and receive additional supplies and training materials.

I. State WIC Office-Issued Supplies

A. The Retailer Supply Request Form should be used by authorized retailers, corporate contacts, certified trainers, and support staff to order supplies and training materials. This form contains all of the key information that is necessary to ensure stores receive appropriate resources within a reasonable time frame.

B. Personnel should clearly and legibly complete the Retailer Supply Request Form and submit it to the State WIC Office. Failure to complete all sections of the form may result in an order filling delay.

C. Authorized retailers should retain a copy of the completed Retailer Supply Request Form in the WIC Program binder in case additional follow-up is required. If the store does not receive requested supplies within two weeks from the date ordered, a store representative should call the State WIC Office to confirm the order's status.

D. Certified trainers requesting supplies for multiple authorized stores must specify "certified trainer" on the form.

II. eWIC Processor-Issued Supplies

A. Refer to the Xerox eWIC Retailer Manual for information and procedures on supplies which must be ordered directly from the eWIC Processor.

References:

- Retailer Supply Request Form
- Xerox eWIC Retailer Manual

Program Integrity: Verification

Effective Date: June 1, 2014 Supersedes: January 1, 2011

These guidelines define that information provided to the WIC Program used to authorize a store is subject to independent verification.

I. Verification

A. All self-reported information (including but not limited to Supplemental Nutrition Assistance Program Authorization ID, pricing, hours of operation, annual or projected food sales, and violations assessed by other governmental agencies) is subject to random, independent verification by the WIC Program. This background information is collected from new and existing retailers using Crossroads Vendor Portal and other available resources.

References:

- State WIC Regulation 12VAC5-195-280. Enrollment procedures.
- State WIC Regulation 12VAC5-195-300. General Requirements and conditions for authorization.

Program Integrity: Above Fifty Percent Monitoring

Effective Date: June 1, 2014 Supersedes: January 1, 2011

These guidelines define the approach the State WIC Office uses to identify potential and actual above fifty percent vendors as required by federal regulations.

I. Above Fifty Percent Monitoring

A. For new applicants, eWIC food benefit redemptions cannot make up more than fifty percent of a store's anticipated annual food sales. New applicants who anticipate fifty percent or more of their food sales will come from eWIC food benefit redemptions will not be authorized by the WIC Program.

B. For authorized retailers, eWIC food benefit redemption volume is monitored by the State WIC Office to determine if it exceeds fifty percent of total annual food sales. This type of evaluation may require authorized retailers to submit additional documentation including state sales tax records if self-reported food sales or Supplemental Nutrition Assistance Program (SNAP) figures cannot be used independently to confirm a retailer's above fifty percent status.

References:

- State WIC Regulation 12VAC5-195-300. General requirements and conditions for authorization.
- State WIC Regulation 12VAC5-195-310. Above 50% retailer screening.

Program Integrity: Conflicts of Interest

Effective Date: June 1, 2014 Supersedes: January 1, 2011

These guidelines define common conflict of interest issues that may arise during WIC Program participation. The State WIC Office encourages authorized retailers to contact the store's assigned Vendor Liaison to discuss conflict of interest issues not outlined in this manual.

I. Conflicts of Interest

A. Management shall seek to ensure that no conflicts of interest exist between any store personnel and any local, state, or federal WIC agency. This group includes (but is not limited to) store employees or spouses of store owners who are also employees of a local, state, or federal WIC agency.

B. Management shall ensure that federal and state confidentiality requirements are met in addressing any potential conflict of interest, such as action involving store employees that are also eWIC cardholders.

C. Management must remind store personnel of these conflict of interest requirements annually at minimum. Specific situations that shall be addressed during this review include:

1. If a store employee (or any member of their immediate family[1]) is also employed by a local, state, or federal WIC agency, they must notify store management to ensure that no conflict of interest will exist in handling their job duties.

2. Store personnel must not provide any gratuities including food, cash, coupons, or gift cards to employees of local, state, or federal WIC agencies.

3. Store personnel must not accept food items purchased using another individual's eWIC benefit card.

4. Store personnel must not redeem eWIC food benefits for themselves (as eWIC cardholders) or for members of their immediate family[1].

5. If an authorized retailer does not have a policy that prohibits self checkout or checkout of family members, the WIC Program expects that such a policy will be developed, communicated to all affected parties, and enforced by the retailer. Store managers must identify and communicate to affected employees how conflict of interest issues will be handled.

D. If an authorized retailer identifies an actual or potential conflict of interest, they must contact the store's assigned Vendor Liaison and provide the following information:

   1. Store name and WIC ID number;

   2. Contact name and phone number;

   3. Name of store employee with a potential conflict of interest;

   4. Title of store employee with a potential conflict of interest; and

   5. Brief summary of the potential conflict of interest situation.

E. Management is encouraged to contact the store's assigned Vendor Liaison for additional guidance on any conflict of interest issues brought to their attention.

F. The WIC Program has developed a handout to help retailers meet the annual conflict of interest training requirement. This resource is available on the WIC Program's website.

[1]Living in the same household.

References:

- 7 CFR §246.12(h)(3)(t)
- 7 CFR §246.26(d)
- State WIC Regulation 12VAC5-195-460. Conflict of interest.
- Retailer Agreement

Program Integrity: Solicitation

Effective Date: June 1, 2014 Supersedes: January 1, 2011

These guidelines define limitations associated with authorized retailers soliciting and promoting eWIC food benefit redemption. This section identifies restrictions pertaining to solicitation issues that exist in the relationship between authorized retailers and eWIC cardholders or agency representatives.

I. Solicitation

A. For the terms “vicinity” and “solicitation”, the following definitions apply:

   1. “Vicinity” means any area near, in the neighborhood of, or in the surrounding areas of the local WIC agency. At a minimum, a 20-foot buffer zone shall be observed. Retail stores and their agents cannot make direct or indirect contact with eWIC cardholders within 20 feet of the local WIC agency’s entrances and exits.

   2. “Solicitation” means approaching with information or otherwise enticing any eWIC cardholder in an attempt to influence their choice of authorized retailer.

B. Authorized retailers and their agents must not distribute flyers, business cards, or any other promotional materials to eWIC cardholders in the vicinity of a local WIC agency.

C. Authorized retailers must not offer inducements or giveaways to eWIC cardholders or agency representatives.

D. Authorized retailers must comply with local ordinances that outline acceptable solicitation practices within their communities.

References:

- State WIC Regulation 12VAC5-195-510. Solicitation.
- Retailer Agreement
- WIC Program Policy and Procedure Manual

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Performance Guidelines: Approved Foods and eWIC Food Benefits

Effective Date: June 1, 2014 Supersedes: New

These guidelines define the types of food and formula items approved for sale and purchase by eWIC cardholders.

I. Approved Foods

A. Each State WIC Office creates a list of WIC-approved food items using federal guidelines as well other variables including nutritional value, availability, size, and price.

B. Only those specific food items approved by the State WIC Office are eligible for purchase using an eWIC benefit card. Only WIC-approved food items selected for an eWIC cardholder's account are eligible for reimbursement.

C. Foods approved by the WIC Program fall into one of several categories. Refer to the WIC Approved Food List for specific categories and food items.

D. All foods approved by the WIC Program may be further limited based on the following variables:

1. Brand – some products have brand restrictions (e.g., only Gerber infant cereals are approved).

2. Size – some products have package size restrictions (e.g., only 64 ounce containers of liquid juice are approved).

3. Ingredients – some products have ingredient restrictions (e.g., only canned fruits with no added sugar are approved).

4. Cost – some products have price restrictions (e.g., only private label cheeses are approved).

II. Approved Formulas

A. Authorized retailers are required to stock specific contract formulas at quantities identified in the Minimum Stocking Requirement guidelines.

B. Authorized retailers are only allowed to sell formulas and medical foods included in the Approved Product List.

C. Formulas and medical foods redeemable at retail stores are listed in the Infant Formula Flyer published by the State WIC Office.

D. If an eWIC cardholder requests a contract formula, special formula, or medical food approved for purchase through authorized retailers, the retailer is expected to procure the formula within 48 hours. If an eWIC cardholder requests formula that the retailer does not have access to, the retailer should refer the eWIC cardholder to another authorized retailer.

III. Specific Brands

A. Authorized retailers may sell any brand included in the Approved Product List (APL) unless otherwise stated.

B. Authorized retailers must sell specific brands for specific categories of food items. Questions about these categories should be directed to the store's assigned Vendor Liaison.

C. Multiple milk manufacturers are listed in the APL. The WIC Program requires brand designation for milk products to ensure eWIC transactions do not exceed the Not-to-Exceed price and the individual authorized retailer's reimbursement level. Additionally, the WIC Program recommends a single brand (preferably the least expensive brand available) be used for all whole and reduced fat milk products.

D. Food categories (e.g. cereal) may be comprised of multiple brands. For each food category, if the brand is included in the WIC Approved Food List it can be purchased by the eWIC cardholder.

IV. Approved Product List

A. Approved Product List (APL) Central is the primary system used to manage Universal Product Codes (UPCs) that are flagged as WIC-approved. APL Central is used to:

1. Download the current Approved Product List for point-of-sale integrated systems or stand-beside devices;

2. Submit a product to the WIC Program for consideration to be added to the database;

3. Submit a request to delete a product that is no longer available;

4. Submit a request to correct existing product information; and

5. Determine whether an existing product's UPC or Product Lookup (PLU) Code is approved in the APL.

B. UPC update requests must be submitted to the State WIC Office for consideration. Submission review is conducted in the following manner:

   1. Retailers are encouraged to submit UPCs for products believed to be approved under current WIC Approved Food List guidelines. UPC update requests must be submitted using a completed UPC Update Request Form. Submitting UPC update requests using the APL Central application expedites processing these requests.

   2. UPC update requests are reviewed by the UPC Gatekeeper, Nutrition Team, and other WIC Program staff.

   3. The authorized retailer or individual responsible for UPC Update Request Form submission will be notified of the WIC Program's decision by email only.

   4. If the UPC is approved, the food item will be added to the APL and made available for purchase through downloading the daily APL file.

C. Authorized retailers should contact the WIC Program's UPC Gatekeeper if they have questions about the APL submission process. Refer to the Vendor Compliance Team Directory on the WIC Program's website for details.

V. Identifying Approved Foods at Checkout

A. The Approved Product List (APL) contains Universal Product Codes (UPCs) for each WIC-approved food item, flagging them as eligible for purchase using the eWIC benefit card.

B. Authorized retailers are responsible for ensuring that the most current version of the APL is available at all registers that process eWIC transactions.

C. At checkout, the UPC of each food item must be scanned, allowing the UPC to be automatically validated against the current APL. Food items eligible for purchase will be authorized by the store's point-of-sale integrated system or stand-beside device. Items flagged as ineligible for purchase should never be processed as part of the eWIC transaction.

D. Fresh produce may have a store-assigned Product Lookup (PLU) Code instead of a State WIC Office-assigned UPC. Authorized retailers and corporate support staff are responsible for mapping store-assigned PLUs to the generic PLU recognized by the APL. At checkout, canned, fresh, and frozen fruits and vegetables should be scanned in the same manner as UPC food items. These types of food items are classified as cash value benefits and have a defined dollar amount.

E. If a WIC-approved food item is not listed in the APL, authorized retailers may submit a UPC Update Request Form to the State WIC Office for consideration.

VI. Redeeming eWIC Food Benefits

A. The eWIC benefit card provides access to eWIC food benefits.

B. The eWIC benefit card defines a specific family's balance of eWIC food benefits over a designated period of time. Like a debit card, once the selected food benefits have been redeemed no additional eWIC purchases may occur until additional eWIC food benefits are added to the eWIC cardholder's account.

C. eWIC cardholders may redeem food benefits over many or few occasions and are not required to purchase all items either in one transaction or by the end of the benefit period.

D. Authorized retailers should refer eWIC cardholders to the local WIC office if they have questions about eWIC food benefits.

References:

- State WIC Regulation 12VAC5-195-390. Approved food list.
- Approved Product List
- Crossroads Vendor Portal
- eWIC Cashier Handbook
- Infant Formula Flyer
- WIC Approved Food List
- WIC Program Policy and Procedure Manual
- UPC Update Request Form

Performance Guidelines: Minimum Stocking Requirement

Effective Date: May 1, 2015 Supersedes: October 1, 2014

These guidelines define the Minimum Stocking Requirement for new applicants and authorized retailers that participate in the WIC Program.

I. Minimum Stocking Requirement

A. Authorized retailers must stock a reasonable variety of WIC-approved foods. The specific brands (if applicable), package sizes, and quantities required are outlined below. Product categories include:

- Cereal
- Cheese
- Eggs
- Infant Cereal
- Infant Food
- Infant Formula
- Juice (Frozen and Liquid)
- Legumes:
  - Beans, Peas, and Lentils (Dry and Canned)
  - Peanut Butter
- Milk
- Whole Grain Products
- Cash Value Benefit Products: Fruits and Vegetables (Canned, Fresh, and Frozen)

B. Authorized retailers must stock the food items at quantities identified in these guidelines throughout the contract agreement period.

C. For WIC-approved foods for which a Minimum Stocking Requirement does not exist (e.g., salmon, tuna, selected contract formulas), the authorized retailer is expected to stock a sufficient supply of these products based upon customer demand.

D. Authorized retailers must purchase contract and special formulas from a WIC-approved supplier. A listing of approved resources can be downloaded from the WIC Program's website.

Performance Guidelines: Minimum Stocking Requirement (Continued)

Effective Date: May 1, 2015 Supersedes: October 1, 2014

E. The Minimum Stocking Requirement (MSR) is detailed in this section.

Category/Item	Description, UPC (if applicable)	Size, Form	Quantity, MSR
Breakfast Cereal	Non-Whole Grain[1] Examples include: • Corn Flakes • Crisp Rice	12 to 36 ounces	24 ounces total
	Whole Grain[1] Examples include: • Frosted Shredded Wheat • Toasted Oats • Instant Oatmeal	12 to 36 ounces, cold 11.8 to12 ounces, hot	48 ounces total Must stock at least 2 different varieties.
Cheese	American (Sliced)	16 ounces	1 package
	Cheddar (Block)	16 ounces	1 package
Eggs	Grade “A” or “AA”, Large, White	dozen	2 cartons
Infant Cereal	Gerber Rice	8 ounces	3 containers
Infant Food	Vegetables: single ingredient or combination of single ingredients	4 ounces	128 ounces total, 32 containers[3] Must stock at least 2 different varieties.
	Fruits: single ingredient or combination of single ingredients	4 ounces	128 ounces total, 32 containers[3] Must stock at least 2 different varieties.
Infant Formula	Similac Advance Concentrate	13 ounces	9 cans
	Similac Advance Powder	12.4 ounces	9 cans
Juice	Single flavored juice: apple[1], grape[1], grapefruit, or orange (Frozen)	12 ounces	2 containers Must stock at least 2 different varieties.
	Single flavored juice: apple[1], grape[1], grapefruit, orange, or tomato (Liquid)	64 ounces	2 containers Must stock at least 2 different varieties.

Performance Guidelines: Minimum Stocking Requirement (Continued)

Effective Date: May 1, 2015 Supersedes: October 1, 2014

Category/Item	Description, UPC (if applicable)	Size, Form	Quantity, MSR
Legumes	Beans, Peas, and Lentils (Canned)	15 to 16 ounces	8 cans
	Beans, Peas, and Lentils (Dry)	16 ounces	2 packages
	Peanut Butter (Creamy, Smooth, Chunky, Crunchy, or Extra Crunchy)	16 to 18 ounces	2 containers
Milk[2]	Reduced Fat: 1%, Skim/Fat Free	gallon, half gallon, or quart	5 gallons total, any combination of approved sizes Must stock at least 2 different sizes.
Whole Grain Products	Whole Wheat Bread[1]	16 ounces	1 package
	Brown Rice	16 ounces	1 package
Cash Value Benefit Products	Fruit Subcategories: • Canned • Fresh • Frozen	$20.00 Total - Must stock a total of 4 different varieties for 2 different subcategories.	
	Vegetable Subcategories: • Canned • Fresh • Frozen	$20.00 Total - Must stock a total of 4 different varieties for 2 different subcategories.	

[1]Refer to the WIC Approved Food List and Approved Product List for WIC-approved brands.

[2]No Minimum Stocking Requirement exists for soy and lactose free milks. Refer to the WIC Approved Food List and Approved Product List for WIC-approved brands.

[3]Includes WIC-approved twin packs.

References:

- State WIC Regulation 12VAC5-195-390. Approved food list.
- State WIC Regulation 12VAC5-195-580. Performance and administrative monitoring.
- WIC Approved Food List
- Infant Formula Flyer
- Peas and Beans/Grape Juice Flyer

Performance Guidelines: Monitoring

Effective Date: June 1, 2014 Supersedes: January 1, 2011

These guidelines define the authorized retailer's role when an agency representative from the WIC Program conducts an on-site monitoring or inventory survey visit.

I. General Monitoring

A. A store representative (preferably a manager) is encouraged to accompany the agency representative during an on-site visit. The agency representative may be local, state, federal, or other staff. Anyone representing the WIC Program is required to show picture identification to a store manager prior to completing the on-site visit.

B. The store representative must identify whether any Minimum Stocking Requirement food items are located anywhere other than the customer shopping areas. The store representative may be required to move available stock to the customer shopping area for stock to be counted during an on-site visit.

C. Authorized retailers with areas of noncompliance observed during these visits will receive a warning letter from the State WIC Office due to documented violations including (but not limited to) failure to meet the Minimum Stocking Requirement and failure to post prices and/or shelf labels near WIC-approved foods.

D. A store representative is required to sign the on-site visit record, acknowledging documentation of any findings during the visit. If after completion of the on-site visit a manager cannot be located or does not respond within 10 minutes of notification, the agency representative must obtain the signature of any available employee or record the reason why the results were not signed.

E. Authorized retailers must contact the store's assigned Vendor Liaison to address questions about the corrective action required to resolve any areas of noncompliance documented during an on-site visit.

II. Formula Monitoring

A. Authorized retailers must maintain at least twelve months of the most current infant formula purchase invoices from all sources including the primary formula supplier.

B. The formula purchase invoices retained by the store must include the following information:

   1. Supplier's name, phone number, and address;

   2. Date of the purchase; and

   3. Itemized list of the items purchased including:

      - Size;
      - Stock number;
      - Quantity;
      - Unit price; and
      - Extended price.

C. If retail cash receipts are used, this documentation must include the following information:

   1. Store name and address or a code number by which the store location can be identified;

   2. Date of purchase; and

   3. Itemized list of the items purchased including:

      - Quantity;
      - Unit price; and
      - Extended price.

D. Cash receipts are considered complete when a computer code (which can be verified by the store) accompanies the item description. Cash receipts without an item description require listing the exact WIC-approved items purchased (including brand, type, and size) on the back of the receipt and must be signed by a store manager.

References:

- State WIC Regulation 12VAC5-195-580. Performance and administrative monitoring.

Performance Guidelines: Signage and Shelf Labels

Effective Date: April 1, 2015 Supersedes: April 1, 2012

These guidelines define specific requirements associated with using signage and shelf labels. All authorized retailers must use window decals and some retailers are also required to use checkout lane signage. Authorized retailers must correctly and consistently use State WIC Office-issued or approved custom shelf labels. Refer to the chart in this section for labeling requirements.

I. Signage

A. Authorized retailers are required to post an eWIC Processor-issued window decal in a highly visible location (such as a store's main entrance window or door).

B. Authorized retailers using stand-beside devices are required to use checkout lane signage to identify which registers accept eWIC food benefits. Retailers using point-of-sale integrated systems may choose to use checkout lane signage if not all registers accept eWIC food benefits.

C. Retailers may obtain signage by contacting the eWIC Processor.

II. Shelf Label Use

A. Authorized retailers must use State WIC Office-issued or approved custom shelf labels to identify WIC-approved foods. State WIC Office-issued shelf labels display a USDA registered service mark.

B. Authorized retailers must use the Retailer Supply Request Form to order shelf labels from the State WIC Office.

C. Either type of shelf label may be used to identify WIC-approved foods. eWIC cardholders are trained to look for standard or custom shelf labels when shopping.

D. Authorized retailers must consistently use the same type of shelf label across all WIC-approved foods that have a labeling requirement.

III. Customized Shelf Labels

A. Authorized retailers are permitted to use approved custom shelf labels that contain a service mark (such as the WIC acronym or WIC logo) to identify WIC-approved foods.

B. Authorized retailers using custom shelf labels must confirm the procedures for ordering additional WIC shelf labels with their corporate offices.

C. Requests for the review and approval of a custom shelf label must be submitted to the State WIC Office prior to use.

D. Authorized retailers must submit, at minimum, one print-ready image of the proposed shelf label. The image of the shelf label must state the proposed total size, font name and size, dimensions, color, and any other distinguishing features. The retailer must disclose all variations of the proposed shelf label, (e.g., promotional). The WIC Program recommends a font size of at least 18 point. Requests must be submitted at least 30 calendar days prior to the intended first date of use.

E. The proposed shelf label image and request may be submitted to the Vendor Compliance Manager by email.

F. Custom shelf labels submitted for review must include, at minimum, the following terminology:

   "WIC" or "W.I.C."

G. The Vendor Compliance Manager will notify the requestor of their decision to approve or disapprove of the proposed shelf label within 30 calendar days after the submission is received.

H. Authorized retailers that use multiple customized shelf labels are encouraged to implement point-of-sale solutions that help eWIC cardholders and store personnel identify the specific types of customized shelf labels in use.

I. Authorized retailers may use alternative materials such as posters, flyers, and inserts in addition to customized shelf labels. Retailers must not, however, use any such materials as a substitute for custom shelf labels when identifying WIC-approved foods. Requests for the review and approval of alternative materials must be submitted to the State WIC Office prior to use.

J. Authorized retailers must ensure that custom shelf labels are clearly visible when posted near WIC-approved foods.

IV. Shelf Label Monitoring

A. Authorized retailers must not use shelf labels provided by a product supplier that display the WIC acronym or logo unless approved in writing by the Vendor Compliance Manager.

B. Store personnel must routinely monitor all posted shelf labels to ensure they are accurately and consistently used under specific WIC-approved foods. If an authorized retailer uses shelf labels for WIC-approved foods without a label requirement (e.g., infant food, whole wheat bread, etc.), the authorized retailer must label all eligible foods within that category.

C. During on-site visits, an agency representative must document any noncompliance in an authorized retailer's use of WIC-approved shelf labels.

References:

- State WIC Regulation 12VAC5-195-530. Use of acronym and logo.
- WIC Approved Food List
- Infant Formula Flyer
- Retailer Supply Request Form

Performance Guidelines: Shelf Label Comparison Chart[1]

Effective Date: April 1, 2015 Supersedes: April 1, 2012

Shelf Label Required	Shelf Label Optional[2]	
Breakfast Cereal	Beans, Peas, and Lentils[3]	Canned Fish
Cheese	Eggs	Fruits and Vegetables[3]
Juice	Infant Cereal	Lactose Free Milk
1% Milk	Infant Food	Soy Milk
Skim/Fat Free Milk	Infant Formula	2% Milk
Peanut Butter		Whole Milk
		Whole Grains

[1]Refer to the WIC Approved Food List and Approved Product List for more information about specific sizes, types, flavors, and manufacturers. Refer to the Minimum Stocking Requirement to determine which WIC-approved foods the store is responsible for stocking.

[2]Retailers must be consistent in labeling all eligible products within a food category when using shelf labels on WIC-approved foods for which there is no label requirement.

[3]The WIC Program does not recommend labeling these items.

Performance Guidelines: Complaints and Incidents

Effective Date: June 1, 2014 Supersedes: January 1, 2011

These guidelines define how and when authorized retailers should complete and submit a Retailer Complaint and Incident Form. The State WIC Office uses this information to promote program integrity and educate eWIC cardholders.

I. Reporting

A. Authorized retailers, corporate contacts, and support staff must use the Retailer Complaint and Incident Form to report suspected abuse and potential violations experienced while serving eWIC cardholders. This form includes details listed on the eWIC shopping list receipt. Completed forms must contain the following information:

   1. eWIC cardholder's name and Personal Account Number;

   2. Any other identifying information available to the retailer[1]; and

   3. Brief description of the complaint or incident.

B. This form and any attachments (such as receipts) should be submitted to the State WIC Office. Retailers should keep a copy of the submission for future reference.

C. If an incident requires the involvement of police or other law enforcement personnel, the authorized retailer should submit a copy of the police report if available.

D. For immediate assistance in the complaint submission process, contact the store's assigned Vendor Liaison. For guidance in reporting any type of complaint or incident not outlined in this section (e.g., program abuse by another authorized retailer), contact the Vendor Compliance Manager.

[1]"Available" information is information that is not requested (e.g. physical appearance). All WIC Program confidentiality guidance must be observed during complaint and incident reporting.

References:

- State WIC Regulation 12VAC5-195-290. Communications.
- State WIC Regulation 12VAC5-195-450. Complaints.
- Confidentiality
- Retailer Complaint and Incident Form

Performance Guidelines: Confidentiality

Effective Date: June 1, 2014 Supersedes: January 1, 2011

These guidelines define important considerations that retailers must follow in handling confidential information associated with processing eWIC transactions.

I. Confidentiality

A. Retailers shall neither ask for personal information to transact an eWIC sale nor capture or use the information available from the eWIC transaction for building client files without the eWIC cardholder's knowledge and permission.

B. Authorized retailers have the right to use available information contained on the eWIC benefit card (i.e., eWIC cardholder's name and Personal Account Number) to file a complaint against a cardholder that does not follow established WIC Program procedures.

C. With the consent of the State WIC Office, authorized retailers have the right to use all available information including data from an eWIC transaction to file a complaint of criminal activity to law enforcement authorities. However, the retailer should not give personal information regarding an eWIC cardholder, participant, or proxy to such authorities investigating incidents unrelated to a WIC transaction.

D. Authorized retailers may not ask for the eWIC cardholder's telephone number, address, Social Security Number, or any additional personal information as might be requested with non-WIC transactions. Such information is confidential.

E. If a cashier must call for manager assistance, the cashier must not identify "WIC" when seeking this type of assistance.

References:

- State WIC Regulation 12VAC5-195-480. Participant confidentiality.

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Financial Considerations: Peer Group Classification

Effective Date: April 1, 2014 Supersedes: June 1, 2014

These guidelines define the State WIC Office's method of categorizing stores by specific attributes. The result of this grouping process identifies an authorized retailer's peer group. The primary purpose of the peer group structure includes (but is not limited to) competitive redemption analysis, risk analysis, calculation of Not-to-Exceed values, and compliance monitoring.

I. Peer Group Classification

A. Peer group assignments are made based on the following attributes:

1. Type of authorization (e.g., retailer, commissary, or special formula contractor);

2. Geographic location;

3. Number of total checkout lanes available; and

4. Annual eWIC food benefit redemptions (applies to stores with five or more checkout lanes).

B. Authorized retailers may contact the store's assigned Vendor Liaison to identify the peer group to which the store is assigned.

C. Geographic location and number of checkout lanes will be used to determine initial peer group assignment for new applicants and authorized retailers with less than six months of redemption history.

D. The State WIC Office may periodically recalculate a store's assigned peer group using the most recent available redemption data.

References:

- State WIC Regulation 12VAC5-195-340. Competitive pricing.
- State WIC Regulation 12VAC5-195-350. Price verification.
- State WIC Regulation 12VAC5-195-490. Retailer confidentiality.
- State WIC Regulation 12VAC5-195-590. Reimbursement and payments.

Financial Considerations: Price Competitiveness

Effective Date: June 1, 2014 Supersedes: January 1, 2011

These guidelines define state and federal requirements that authorized retailers must remain price competitive in order to participate in the WIC Program. A price competitiveness analysis is completed for new applicants using pricing data submitted via Crossroads Vendor Portal and authorized retailers using actual eWIC benefit redemption data.

I. New Applicants

A. During the new application process submitted prices are analyzed to determine the level of price competitiveness for selected food items and combinations of food items (also referred to as market baskets). Applicants must apply for WIC Program authorization using the Crossroads Vendor Portal system. If the applicant's market basket prices are identified as noncompetitive, WIC Program authorization will be denied. If authorization is denied, the applicant has 15 calendar days from the application submission date to request an administrative review.

B. Prices submitted to the State WIC Office using the Crossroads Vendor Portal system must reflect the highest price for selected WIC-approved food items. Crossroads Vendor Portal identifies which specific items have a highest price requirement. Applicants can locate the WIC-approved food items in the Minimum Stocking Requirement section of this manual.

C. If the applicant passes the initial market basket analysis, the State WIC Office will send a written confirmation letter notifying the store of its selection status. An on-site stocking visit will be completed by an agency representative. During this on-site visit, the WIC Program will confirm that the prices submitted via the Crossroads Vendor Portal system are consistent with the store's posted shelf prices.

II. Authorized Retailers

A. The State WIC Office analyzes the price competitiveness of authorized retailers using several market baskets. This type of analysis is completed, at minimum, twice each federal fiscal year. Authorized retailers may receive a written request from the State WIC Office to submit shelf prices for WIC-approved food items using the Crossroads Vendor Portal system. Failure to submit prices as requested may lead to termination of a store's authorization.

B. Authorized retailers whose prices are found to be noncompetitive will be given one opportunity to make pricing adjustments. Once prices have been resubmitted, the retailer's WIC Program authorization may be terminated if, upon further analysis, the submitted prices are found to be noncompetitive.

III. Selection Process and Pricing Analysis

A. Shelf prices for canned, fresh, and frozen fruits and vegetables are not collected by the WIC Program as part of the selection and authorization process. New applicants and authorized retailers are expected to meet the Minimum Stocking Requirement for these food categories.

B. Authorized retailers must maintain competitive prices for all required food items. Food items evaluated as part of the woman's market basket may include:

1. Beans, Peas, or Lentils (Canned) – 15 to 16 ounces;
2. Beans, Peas, or Lentils (Dry) – 16 ounces;
3. Cereal (Hot or Cold) – 72 ounces over 3 types (including 1 whole grain);
4. Cheese (American, Sliced) – 16 ounces;
5. Cheese (Cheddar, Block) – 16 ounces;
6. Eggs (large, white) – 1 dozen;
7. Juice (Frozen) – 12 ounces;
8. Juice (Liquid) – 64 ounces;
9. Milk, Liquid Reduced Fat (2%, 1%, Skim/Fat Free) – 1 gallon, 1 half gallon[1]; and
10. Peanut Butter (Creamy or Crunchy) – 16 to 18 ounces.

Food items evaluated as part of the infant's market basket may include:

1. Infant Cereal (Gerber, Rice) – 8 ounces;

2. Infant Food – 2 4-ounce containers;

3. Similac Advance Concentrate –13 ounces;

4. Similac Advance Powder – 12.4 ounces;

The food items included in the woman's or infant's market basket are subject to change.

C. New applicants' and authorized retailers' prices must remain competitive. Retailers whose prices are noncompetitive will only be paid up to the maximum Not-to-Exceed amount established by the State WIC Office.

D. If a new applicant's submitted prices are found to be noncompetitive when compared to stores assigned to the same peer group, the applicant will receive a written denied authorization letter from the WIC Program.

[1]Whole and reduced fat milk quarts will transition to half gallons within the 2014 calendar year.

References:

- State WIC Regulation 12VAC5-195-340. Competitive pricing.
- State WIC Regulation 12VAC5-195-360. Selection decisions.
- State WIC Regulation 12VAC5-195-300. General requirements and conditions for authorization.
- Reimbursement Levels

Financial Considerations: Reimbursement Levels

Effective Date: June 1, 2014 Supersedes: January 1, 2011

These guidelines define some common questions that authorized retailers have about how eWIC food benefits are paid by the State WIC Office.

I. Not-to-Exceed Price

A. Authorized retailers are reimbursed for WIC-approved foods purchased by eWIC cardholders. A reasonable price is determined based on the food item's category, subcategory, or Universal Product Code (UPC). A maximum, Not-to-Exceed (NTE) price is calculated based upon previous eWIC food benefit redemptions per category, subcategory, or UPC for the store's assigned peer group.

B. Authorized retailers connect to a centralized database which identifies authorized food items and their NTE reimbursement levels.

C. Authorized retailers should contact the Xerox eWIC Retailer Help Desk if they have questions about the NTE reimbursement level set for their store's assigned peer group. It is important to have available UPC information for the WIC-approved food item in question.

D. Authorized retailers whose prices are higher than established NTE prices will only be paid up to NTE reimbursement levels. A request for reconsideration of NTE reimbursement levels must be documented by the Xerox eWIC Retailer Help Desk, which confers with the State WIC Office for administrative guidance.

E. Authorized retailers whose prices are lower than established NTE prices will be paid the full amount.

F. The eWIC Processor recalculates NTE reimbursement levels at least twice monthly or as deemed necessary by the State WIC Office.

G. Authorized retailers using stand-beside devices to process eWIC transactions can identify the NTE reimbursement level by reviewing settlement and reconciliation reports produced daily by the eWIC Processor.

II. Cash Value Benefits

A. A maximum dollar amount is established for fresh, frozen, and canned fruits and vegetables purchased using the eWIC benefit card. No NTE reimbursement level exists for these benefits.

III. Payment Adjustments

A. Payment adjustment requests must be submitted in writing to the State WIC Office within 30 calendar days of the original transaction date. The retailer should include an explanation of the error as well as the corrective action taken to prevent future occurrences.

References:

- Retailer Agreement
- Xerox eWIC Retailer Manual

Financial Considerations: Automated Clearinghouse Reimbursements

Effective Date: June 1, 2014 Supersedes: January 1, 2011

These guidelines define the roles of the State WIC Office, the eWIC Processor, and the authorized retailer in providing banking information used to process Automated Clearinghouse (ACH) reimbursements.

I. Automated Clearinghouse (ACH) Reimbursements

A. Authorized retailers must provide current banking information to the eWIC Processor as such information is required to process ACH reimbursements for eWIC transactions. The ACH system is used to reimburse authorized retailers for eWIC food benefits redeemed by eWIC cardholders.

B. The authorized retailer's point-of-sale system transmits a daily file to the eWIC Processor, which triggers reimbursement to the authorized retailer for eWIC transactions processed that business day. The eWIC Processor forwards all reimbursements electronically to the authorized retailer's bank account.

C. To ensure that ACH reimbursements are applied correctly, authorized retailers are required to provide banking information, including changes, to the eWIC Processor. It is critical that any changes to an authorized retailer's banking information are reported to the eWIC Processor immediately. Retailers that fail to submit updated banking information to the eWIC Processor may not be eligible to receive payment for eWIC transactions.

D. Authorized retailers must contact the eWIC Processor directly to set up or make changes to their ACH banking information. The required documentation of ACH banking information must not be sent to the State WIC Office.

E. Settlement reimbursements paid to authorized retailers shall be for the total dollar amount as approved by the WIC Program at the time of purchase. This amount represents the lesser of either the store's UPC price or the WIC Program's Not-to-Exceed price.

F. Authorized retailers using stand-beside devices are encouraged to reconcile eWIC transactions against the daily settlement and reconciliation reports available from the eWIC Processor.

G. The State WIC Office does not provide ACH statements or settlement and reconciliation reports for eWIC transactions.

References:

- State WIC Regulation 12VAC5-195-300. General requirements and conditions for authorization.
- State WIC Regulation 12VAC5-195-590. Reimbursements and payments.
- Xerox eWIC Retailer Manual

Financial Considerations: Shopping List Receipts

Effective Date: June 1, 2014 Supersedes: New

These guidelines define store-level requirements for providing shopping list receipts to eWIC cardholders. Shopping list receipts document the eWIC food benefits both currently available and used during the most recent transaction. The shopping list is important in verifying that the WIC Program and the eWIC cardholder's benefit account were charged only for intended items. The shopping list receipt is helpful to both the eWIC cardholder and the authorized retailer; it is a complete listing of the food items selected by the WIC Program for a specific eWIC cardholder.

I. Shopping List Receipts

A. Authorized retailers are required to provide a shopping list receipt for foods purchased with an eWIC benefit card. This shopping list receipt must provide, at minimum, the following information:

   1. Store name and address;

   2. Transaction date;

   3. Products purchased; and

   4. Price charged for each product.

B. Authorized retailers must give a copy of shopping list receipt to the eWIC cardholder either directly or by placing it in the customer's shopping bag. Retailers should encourage the eWIC cardholder to retain a copy of the shopping list receipt but are not responsible for ensuring the eWIC cardholder keeps it.

II. Balance Inquiry

A. Authorized retailers must offer a balance inquiry option to eWIC cardholders. This option must accurately identify available eWIC food benefits and should serve as a shopping tool. The balance inquiry should list the remaining food items available in the eWIC cardholder's account for the current benefit period.

B. The eWIC cardholder must not be required to make a purchase in exchange for requesting a balance inquiry.

C. The eWIC cardholder must not use the eWIC benefit card to purchase more than the quantity selected on the shopping list receipt. Other forms of tender (i.e. SNAP card, credit or debit card, and cash) must be used to pay any difference between available eWIC food benefits and the total at checkout.

References:

- Retailer Agreement

Financial Considerations: Exchanges and Refunds

Effective Date: June 1, 2014 Supersedes: New

These guidelines answer some common questions that authorized retailers have about restrictions and limitations that apply to eWIC cardholders' requests for exchanges and refunds. Authorized retailers cannot issue cash refunds or store credits for food or formula purchased with an eWIC benefit card.

I. Exchanges and Refunds

A. An eWIC cardholder may need to exchange a WIC-approved food or formula for the exact type purchased. For example, the item previously purchased may be expired, have damaged packaging, or have spoiled or inedible contents. Authorized retailers are allowed to provide an even exchange in accordance with the store's policy for all customers, which may or may not require a receipt as proof of purchase.

B. Items purchased using an eWIC benefit card must be exchanged for the exact quantity and type selected for the eWIC cardholder's shopping list. The WIC Program does not allow cash refunds or store credits to be provided to the eWIC cardholder. At no time may an authorized retailer exchange eWIC food benefits for cash.

C. Rain checks and the use of the eWIC benefit card as a due bill are not permitted. Due bill processing occurs when an authorized retailer provides food benefits on the eWIC shopping list but does not process the eWIC benefit card until the date the benefits become available. If the authorized retailer does not have the food or formula available, then the sale must be refused and the eWIC cardholder should be given the choice to shop at another authorized store.

References:

- State WIC Regulation 12VAC5-195-590. Reimbursement and payments.
- State WIC Regulation 12VAC5-195-600. Sanctions and administrative actions.
- Retailer Agreement
- Xerox eWIC Retailer Manual

Financial Considerations: eWIC Benefit Card Handling

Effective Date: June 1, 2014 Supersedes: New

These guidelines define the process for handling lost or improperly used eWIC benefit cards.

I. Lost eWIC Benefit Cards

A. If an authorized retailer finds an eWIC benefit card, the store must report it immediately by calling the Xerox eWIC Retailer Help Desk.

B. The authorized retailer must mail the recovered eWIC benefit card to the State WIC Office, Attn: Vendor Compliance Manager. Until it is mailed, the store must keep the lost eWIC benefit card in a secure location.

II. Damaged eWIC Benefit Cards

A. If an authorized retailer cannot process a damaged eWIC benefit card, the store should refer the eWIC cardholder to the local WIC office for assistance.

B. If an eWIC benefit card Personal Identification Number (PIN) is rejected after three entry attempts, the retailer must advise the eWIC cardholder to call the Xerox eWIC Cardholder Help Desk. For eWIC cardholders' convenience, this phone number is printed on the back of the eWIC benefit card. Under no circumstances should the retailer call on behalf of the eWIC cardholder.

C. Retailers should never manually enter the eWIC cardholder's Personal Account Number (PAN) or PIN. The physical eWIC benefit card must be presented at the time of checkout.

III. Improperly Used eWIC Benefit Cards

A. If an authorized retailer suspects that an eWIC benefit card is being used improperly, the store should report such activity to the State WIC Office with a Retailer Complaint and Incident Form.

References:

- Retailer Complaint and Incident Form
- Xerox eWIC Retailer Manual

Training: Retailer Interactive Training

Effective Date: June 1, 2014 Supersedes: January 1, 2011

These guidelines define training requirements for authorized retailers. Training provided to cashiers and store personnel is designed to prevent errors, abuse, and other noncompliance as well as promote delivery of quality services to eWIC cardholders.

I. State WIC Office Training

A. The State WIC Office is responsible for training authorized retailer management staff in most program functions except eWIC. For additional guidance, contact the store's assigned Vendor Liaison.

B. Authorized retailer management or representatives are responsible for training all store personnel involved in processing eWIC transactions.

C. Authorized retailers must contact the store's assigned Vendor Liaison to request training assistance.

D. Authorized retailers must seek out their own translation resources to assist them in understanding English language presentations and training materials.

II. Certified Trainer Program (optional)

A. Authorized retailers not currently participating in the Certified Trainer Program must submit the participation request in writing to the Vendor Compliance Manager.

B. Authorized retailers may designate one or more individuals to become certified trainers. Once certified, each trainer is assigned a Vendor Liaison who can provide technical assistance as needed.

C. Once a certified trainer has met all WIC Program training requirements, they must be registered and recertified annually.

D. Certified trainers are responsible for training all store personnel involved in processing eWIC transactions. These individuals must work through their corporate offices to provide interactive training at the following times:

1. Initial WIC Program authorization (new applicants);

2. Contract reauthorization; and

3. When requested by the State WIC Office.

E. Before a newly-authorized store may accept eWIC food benefits, a copy of the WIC Certified Retailer Training Reporting Form must be submitted to the State WIC Office. This form documents that at least one member of management has been trained by a certified trainer. Completed forms must contain the following information:

1. Company name;
2. Certified trainer name;
3. Attendee names;
4. Training date; and
5. Training type.

F. Certified trainers do not have to submit records of training provided to non-management store personnel to the State WIC Office.

G. Certified trainers should keep copies of training materials and attendee rosters. This information may be requested by the State WIC Office.

III. eWIC Processor Training

A. Training will be provided by the designated eWIC Processor for authorized retailers using stand-beside devices.

B. The eWIC Processor is responsible for confirming with the WIC Program that the store's stand-beside equipment is operational and that management representatives have been trained.

C. Authorized retailers should contact the eWIC Processor if they require additional training or have questions about using eWIC stand-beside equipment.

IV. eWIC Integrated Training

A. Certified trainers are responsible for training management and other store personnel in any unique processing and transaction requirements for eWIC food benefits.

B. Certified trainers are responsible for developing and distributing training resources to be used by cashiers in facilitating eWIC transactions.

V. General Training Considerations

A. The State WIC Office will assist authorized retailers and certified trainers in developing training resources for store personnel.

B. The State WIC Office requires authorized retailers to submit required documentation to ensure mandatory training requirements have been met.

References:

- State WIC Regulation 12VAC5-195-280. Enrollment procedures.
- State WIC Regulation 12VAC5-195-520. Training and education.
- State WIC Regulation 12VAC5-195-580. Performance and administrative monitoring.
- State WIC Regulation 12VAC5-195-600. Sanctions and administrative actions.
- Certified Trainer Reporting Form
- Xerox eWIC Retailer Manual

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Program Administration: Compliance Investigations

Effective Date: June 1, 2014 Supersedes: October 1, 2012

The WIC Program shall conduct undercover investigations to monitor authorized retailers' level of compliance. These guidelines define compliance investigation procedures for which eWIC food benefits are the payment method.

I. Administrative Issues

A. The specific violations assessed during a compliance investigation are outlined in the Sanctions, Compliance, and Program Violations Schedule.

B. All violations documented during the investigation will count toward the establishment of a pattern of noncompliance. Multiple occurrences of the same violation documented during a single compliance buy will only be charged once. Authorized retailers that receive a warning letter as a result of a compliance investigation are expected to take the following corrective actions:

   1. Complete training of store personnel in proper eWIC and reimbursement procedures. Resources that outline these procedures may include the Xerox eWIC Retailer Manual for stores using stand-beside devices and processing instructions developed by corporate retailers for stores using point-of-sale integrated systems;

   2. Review the final compliance investigation letter and implement appropriate corrective actions to address all documented violations; and

   3. Contact the store's assigned Vendor Liaison to request assistance if needed.

C. Once a compliance investigation has been closed, the retailer may request a copy of any supporting documentation (e.g., eWIC transaction records, store receipts, and investigation reports) by writing to the State WIC Office.

D. If an authorized retailer accumulates any chargeable violations, the retailer may request on-site remedial training by contacting the store's assigned Vendor Liaison.

E. After the retailer receives a final compliance letter, the store manager or owner must remit payment for any assessed fine within 20 calendar days to the Virginia Department of Health in the form of a cashier's check or money order. Payment should be mailed to the contact person and address identified on the invoice sent to the retailer.

F. Questions regarding a warning letter received by the retailer must be directed to the State WIC Office personnel who sent the compliance results letter.

G. A disqualified store may reapply for WIC Program authorization after completion of all performance requirements outlined in the final written disqualification letter. These requirements may include the return of any stand-beside equipment used to process eWIC transactions.

H. A copy of federal regulations 7 C.F.R. §246.12(h)(3)(xx) which further outline WIC Program abuse issues can be obtained by contacting the store's assigned Vendor Liaison or from the Food and Nutrition Service of the United States Department of Agriculture's website.

References:

- 7 CFR §246.12(h)(3)(xx)
- State WIC Regulation 12VAC5-195-320. Retailer agreement.
- State WIC Regulation 12VAC5-195-520. Training and education.
- State WIC Regulation 12VAC5-195-550. High risk retailers.
- State WIC Regulation 12VAC5-195-580. Performance and administrative monitoring.
- State WIC Regulation 12VAC5-195-600. Sanctions and administrative actions.
- State WIC Regulation 12VAC5-195-620. Participant impact.
- Retailer Agreement
- Minimum Stocking Requirement
- Xerox eWIC Retailer Manual

Program Administration: Inventory Audits

Effective Date: June 1, 2014 Supersedes: New

The WIC Program shall conduct inventory audits to monitor authorized retailers' level of compliance. Inventory audits are used to identify potential discrepancies between a store's purchasing records compared to eWIC transactions processed at the retailer's location. These guidelines define inventory audit procedures.

I. Administrative Issues

A. The specific violations assessed during an inventory audit are outlined in the Sanctions, Compliance, and Program Violations Schedule.

B. All violations documented during an inventory audit will count towards the establishment of a pattern of noncompliance. Multiple occurrences of the same violation may be charged during this type of audit.

C. Once an inventory audit has been completed, the authorized retailer will be notified by the State WIC Office in writing of the audit results and any required follow up actions.

D. After the retailer receives a final compliance letter, the store manager or owner must remit payment for any assessed fine within 20 calendar days to the Virginia Department of Health in the form of a cashier's check or money order. Payment should be mailed to the contact person and address identified on the invoice sent to the retailer.

E. Questions regarding an inventory audit final results letter received by the retailer must be directed to the State WIC Office personnel who sent the compliance results letter.

F. A disqualified store may reapply for WIC Program authorization after it has completed all performance requirements outlined in its final written disqualification letter. These requirements may include the return of any stand-beside equipment used to process eWIC transactions.

G. A copy of federal regulations 7 C.F.R. §246.12(h)(3)(xx) which further outline WIC Program abuse issues can be obtained by contacting the store's assigned Vendor Liaison or from the Food and Nutrition Service of the United States Department of Agriculture's website.

Program Administration: Inventory Audits (Continued)

Effective Date: June 1, 2014 Supersedes: New

References:

- 7 CFR §246.12(h)(3)(xx)
- State WIC Regulation 12VAC5-195-320. Retailer agreement.
- State WIC Regulation 12VAC5-195-520. Training and education.
- State WIC Regulation 12VAC5-195-550. High risk retailers.
- State WIC Regulation 12VAC5-195-580. Performance and administrative monitoring.
- State WIC Regulation 12VAC5-195-600. Sanctions and administrative actions.
- State WIC Regulation 12VAC5-195-620. Participant impact.
- Retailer Agreement
- Minimum Stocking Requirement
- Xerox eWIC Retailer Manual

Program Administration: Sanctions, Compliance, and Program Violations Schedule

Effective Date: June 1, 2014 Supersedes: January 1, 2011

Category A	Class I Violation Descriptions	Administrative Actions	St/Fed Violations
1	Erroneously limits participants in their choice of WIC approved food.	$100 fine, second occurrence within consecutive 12 month period.	St
2	Minimum food stocking requirement is not met: deficient stock affecting WIC approved food item(s), including contract formula.	$100 fine, second occurrence within a consecutive 12 month period.	St
3	A cardholder shopping receipt for WIC purchases is not provided and was not expressly declined by the cardholder.	$100 fine, per incident, once pattern requirement is met.	St
4	Prices of authorized food(s) are not displayed in close proximity to WIC approved foods or in the immediate area where foods are kept.	$100 fine, per incident, once pattern requirement is met.	St
5	Infant formula purchasing records (i.e. invoices, receipts) are not provided within 15 calendar days after receiving a written request.	$100 fine, per incident, once pattern requirement is met.	St
6	eWIC redemption records are not maintained for a minimum of one year from the date of the eWIC transaction, in order to resolve any outstanding settlement disbursement issues.	$100 fine, per incident, once pattern requirement is met.	St
7	Requests additional identification, besides the Personal Identification Number (PIN), in order to process a eWIC transaction.	$100 fine, per incident, once pattern requirement is met.	St
8	Asks for and/or enters the eWIC cardholder's PIN in order to process a eWIC transaction.	$100 fine, per incident, once pattern requirement is met.	St
9	Equitable treatment is not provided to the eWIC cardholder/ participant when these options are offered to cash paying customers, including the use of manufacturer and/or store coupons, incentives or discounts.	$100 fine, per incident, once pattern requirement is met.	St
10	Offers incentives or in-store promotions exclusively targeted at eWIC cardholders/participants.	$100 fine, per incident, once pattern requirement is met.	St
11	WIC shelf labels are not displayed on food(s) that have this requirement, as identified in the WIC Approved Food List brochure.	$100 fine, per incident, once pattern requirement is met.	St
12	Required training of cashiers on how to process a eWIC transaction is not provided.	$100 fine, per incident, once pattern requirement is met.	St
13	Charges the WIC Program sales tax on a eWIC purchase.	$100 fine, per incident, once pattern requirement is met.	St
14	Violates participant's confidentiality.	$100 fine, per incident, once pattern requirement is met.	St
15	WIC approved shelf labels are not used under all eligible products within a specific category, if applicable.	$100 fine, per incident, once pattern requirement is met.	St

Program Administration: Sanctions, Compliance, and Program Violations Schedule (Continued)

Effective Date: June 1, 2014 Supersedes: January 1, 2011

Category B	Class II Violation Descriptions	Administrative Actions	St/Fed Violations
1	A federally mandated requirement or documented corrective action is not complied with, i.e., fails to purchase formula from an approved supplier, distributor or manufacturer.	2 incidents = pattern; 1 year DX or CMP.	St
2	Price list of WIC authorized foods/formula is not provided as requested by the WIC Program.	2 incidents = pattern; 1 year DX or CMP.	St
3	Minimum food stocking requirement is not met within a 12 month period.	3 documented incidents within a consecutive 12 month period equates to a pattern; 1 year DX or CMP.	St
4	Discriminates against a eWIC cardholder on the basis of race, color, national origin, age, sex or disability.	2 incidents = pattern; 1 year DX or CMP.	St
5	An administrative fee, compliance fine, overcharge, as requested by the WIC Program, is not paid.	2 incidents = pattern; 1 year DX or CMP.	St
6	Does not attend mandatory WIC Program training after having the opportunity to reschedule once.	2 incidents = pattern; 1 year DX or CMP.	St
7	Fails to properly use “WIC” shelf labels on food(s) as outlined in the WIC Approved Food List.	4 documented incidents within a consecutive 12 month period equates to a pattern; 1 year DX or CMP.	St
8	Eight or more Class I violations, including repeat violations, are documented within a single investigation.	$100 fine per incident; 1 year DX or CMP.	St

Program Administration: Sanctions, Compliance, and Program Violations Schedule (Continued)

Effective Date: June 1, 2014 Supersedes: January 1, 2011

Category C	Class III Violation Descriptions	Administrative Actions	St/Fed Violations
1	Transacts and/or redeems eWIC transactions outside of authorized channels or the actual store location as identified in the signed Retailer Agreement, including the use of an unauthorized store location. 7 CFR 246.12(l)(1)(iii)(D)	4 + incidents = pattern; 3 year DX or CMP. (See footnote for additional information related to the CMP).	Fed
2	Substitutes non-food items for WIC foods, e.g. detergents, kitchen items, etc. 7 CFR 246.12(l)(1)(iii)(F)	4 + incidents = pattern; 3 year DX or CMP. (See footnote for additional information related to the CMP).	Fed
3	Charges the WIC program more for supplemental WIC food(s) purchased than non-WIC customers (overcharge). 7 CFR 246.12(l)(1)(iii)(C)	4 + incidents = pattern; 3 year DX or CMP. (See footnote for additional information related to the CMP).	Fed
4	Charges the WIC Program for supplemental foods not received by the eWIC cardholder (overcharge). 7 CFR 246.12(l)(1)(iii)(E)	4 + incidents = pattern; 3 year DX or CMP. (See footnote for additional information related to the CMP).	Fed
5	Sells cigarettes/tobacco or alcoholic beverages to eWIC cardholder - one documented occurrence is sufficient for imposing this sanction. 7 CFR 246.12(l)(1)(iii)(A)	1 incident = 3 year DX or CMP. (See footnote for additional information related to the CMP).	Fed
6	Claims reimbursement in excess of documented inventory. 7 CFR 246.12(l)(1)(iii)(B)	4 + incidents = pattern; 3 year DX or CMP. (See footnote for additional information related to the CMP).	Fed
7	Uses a different Universal Product Code (UPC) than what was charged to the WIC Program which results in allowing the eWIC cardholder to purchase an ineligible food item. 7 CFR 246.12(l)(1)(iv)	4 + incidents = pattern; 1 year DX or CMP. (See footnote for additional information related to the CMP.	Fed
8	Manually enters a cardholder's Personal Account Number (PAN) without having actual physical possession of the eWIC benefit card for the items charged as being purchased by the cardholder.	4 + incidents = pattern; 1 year DX or CMP. (See footnote for additional information related to the CMP.	Fed
9	Threatens/inflicts physical harm/commits verbal harassment against a WIC representative or a participant using program benefits.	4 + incidents = pattern; 3 year DX or CMP. (See footnote for additional information related to the CMP).	St
10	Provides false and/or incomplete information, including pricing data, as part of the selection and evaluation process.	4 + incidents = pattern; 3 year DX or CMP. (See footnote for additional information related to the CMP).	St
11	A documented discrepancy exists between contract formula purchasing, invoice, and inventory records as documented during an inventory audit analysis.	4 + incidents = pattern; 3 year DX or CMP. (See footnote for additional information related to the CMP).	St
12	Transacts and/or redeems eWIC transactions outside of normal operating hours as reported to the WIC Program.	4 + incidents = pattern; 3 year DX or CMP. (See footnote for additional information related to the CMP).	St

Program Administration: Sanctions, Compliance, and Program Violations Schedule (Continued)

Effective Date: June 1, 2014 Supersedes: January 1, 2011

Category D	Class IV Violation Descriptions	Administrative Actions	St/Fed Violations
1	Trafficking/Illegal sales, including the buying or selling of eWIC benefits for cash; exchanging WIC benefits for fire arms, ammunition, explosives, or controlled substances (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802). 7 CFR 246.12(l)(1)(ii)(A) & (B)	1 incident = 6 year DX or CMP. (See footnote for additional information).	Fed
2	Provides cash, in whole or in part, for eWIC benefits. 7 CFR 246.12(l)(1)(ii)(A)	1 incident = 6 year DX or CMP. (See footnote for additional information).	Fed
Category E	**Class V Violation Descriptions**	**Administrative Actions**	**St/Fed Violations**
1	A conviction of trafficking or illegal sales. Trafficking/Illegal sales-the buying or selling of eWIC benefits for cash; exchanging WIC benefits for fire arms, ammunition, explosives, or controlled substances (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802). 7 CFR 246.12(l)(1)(i)	1 incident = permanent DX (see footnote for additional information).	Fed

- The Sanctions, Compliance, and Program Violations Schedule applies to eWIC transactions only.
- Federally mandated violations are designated with the notation of Fed, state mandated violations are designated with the notation of St.
- CMP means Civil Monetary Penalty. The State WIC Office may impose a CMP in lieu of a disqualification if the disqualification of the store would result in inadequate participant access.
- DX means WIC Program disqualification.
- A pattern of noncompliance for federally mandated violations equates to four or more documented incidents unless stated otherwise.
- A pattern of noncompliance for state mandated violations equates to two or more documented incidents unless stated otherwise.
- For violations documented during the first compliance buys of an investigation, the State WIC Office will send a written warning letter to the retailer. The State WIC Office will conduct additional buys two weeks after sending this warning letter. Once the investigation has been closed, the store will receive a final summary of the documented violations.
- Exception – no written warning may be sent to a store prior to completing additional compliance buys if this notice would jeopardize the integrity of the investigative process. The State WIC Office may decide not to provide written notification to the retailer if it determines that said notification would compromise the investigative process. The State WIC Office must document in the store's file the reason(s) supporting this administrative decision.
- All violations flagged as overcharge will result in assessment of a financial vendor claim and the retailer will have to repay the amount of the overcharge.
- Refer to State WIC Regulation 12VAC5-195-600 (Sanctions and administrative actions) for additional information pertaining to state agency policies.

Program Administration: Disqualification and Administrative Actions

Effective Date: June 1, 2014 Supersedes: January 1, 2011

These guidelines define procedures for requesting review or appeal of administrative actions and payment of Civil Monetary Penalties (CMPs) and administrative fines. Penalties and fines are exacted after specific areas of noncompliance (as outlined in the Sanctions, Compliance, and Program Violations Schedule) have been documented by the WIC Program.

I. Administrative Review Request

A. Authorized retailers and new store applicants have the right to request administrative review or appeal of disqualification (except in cases of reciprocal SNAP disqualification), denied authorization, or other administrative action. To pursue this option, the retailer must submit a written request for administrative review to the Vendor Compliance Manager within 15 calendar days of receipt of the State WIC Office's administrative decision.

II. Civil Monetary Penalty (CMP) Assessment

A. The authorized retailer must remit a lump sum payment within 20 calendar days after receiving an administrative fine letter unless other arrangements, such as installments, are agreed upon in writing.

III. Administrative Fine Assessment

A. The State WIC Office will send an administrative fine letter and invoice to the retailer or corporate contact. The invoice will identify the amount due, the remittance date, and the specific violations documented by the WIC Program.

B. If the authorized retailer pursues a second review of the original amount assessed, they must submit a written request to the State WIC Office within 20 calendar days after receiving the administrative fine letter and invoice. In the written request, the authorized retailer must include any documentation that should be considered by the Division Director in evaluating the merit of the reconsideration request. The payment amount identified in the original invoice is not due until the authorized retailer receives an updated written decision. If a fine still applies once an administrative decision is made then the authorized retailer must submit payment within 20 calendar days after receiving the updated written notice.

References:

- State WIC Regulation 12VAC5-195-640. Civil monetary penalties.
- State WIC Regulation 12VAC5-195-650. Disqualification administrative actions.
- Retailer Agreement

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VIRGINIA DEPARTMENT OF HEALTH

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Wholesome Informed Choices
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