

Virginia WIC Retailer Bulletin | November 2016

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## **[Mike's Message](#)**

As many know, I accepted the position of the State Director for the Virginia WIC Program late in 2010. Walking into work the first day, I will never forget two statements that were said to me. One was that this position was not going to be what I expected. The second, coming from the Commissioner, was that I had nowhere to go but "up." Welcome to the Central Office!

I would like to think that over the past six years, the Virginia WIC Program has indeed gone "up." Reflecting on the past six years, our accomplishments have been significant:

- Removing slots for vendor applications
- Changing the peer group structure from Business Economic Areas (BEA) to a new grouping based on cash registers/sales/locations
- Containing food costs
- Introducing EBT six years ahead of the mandated deadline!!!!
- Implementing a smart phone application for minimum stocking visits
- No major or significant integrity issues (knock on wood!)
- Spreading the word related to the Summer Food Service Program (SFSP)

- Providing information on the Zika Virus

I am sure that I have left out a few other highlights that have occurred over the past six years. But none of these accomplishments would have happened without a team that is dedicated to the Virginia WIC Program and that works hard to ensure that we are the best in the country. So, I must give much of the credit to Alex, Al, Freda, Ephraim, Jennifer, and Amy. Of course they had a great leader in Sheila who had a great vision in leading the vendor program into the future, not only for Virginia, but for the nation. She will be greatly missed.

Of course I must also thank all of you for your contributions to the WIC Program. When I first came here, I knew very little from the vendor side of WIC. Over the last six years I have learned a lot and have heard several stories related to State Agency vendor conflicts. I can honestly say that those issues have never occurred in Virginia and I always tried to see things from the vendor point of view. The successes of the Virginia WIC Program are greatly due to your support. There are many definitions of teamwork, but one I like best is a cooperative or coordinated effort of a group acting together in the interest of a common cause. Our common cause has been to ensure women have healthy pregnancies and that children receive the nourishment to grow and develop.

When I accepted the position of the WIC Director, I hoped to provide guidance and leadership to move the program forward. I hope that has occurred. On February 14, 2017, I will be retiring from VDH. I again thank you for the support over the last six years and wish you well for the future.

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### **[Tribute to Sheila](#)**

Sheila Brewer passed away on September 8, 2016, after a courageous fight with breast cancer. For 22 years, she was the Vendor Manager for the Women, Infants, and Children (WIC) Program within the Virginia Department of Health. She maintained a close working relationship with over 850 grocery stores to ensure they met all federal requirements. She earned a Master of Public Health from Columbia University and she was recognized as the foremost national authority on vendor management within the WIC community. Sheila was instrumental in leading the Virginia WIC Program successfully from a paper check financial system to an electronic benefit transfer (EBT) system. She also revolutionized the WIC Program by developing a store monitoring iPhone app.

Sheila's philosophy of helping others applied to professional as well as personal activities. She volunteered with developmentally disabled children, participated with Big Sisters programs and was a foster parent. An avid jazz music fan, she spent many moments at jazz festivals around the city.

Her leadership, work ethic, and knowledge of the WIC Program will be sorely missed by her colleagues both in and outside the Virginia Department of Health.

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### **[Infant Formula Contract](#)**

Abbott Nutrition will continue to be used as the Virginia WIC Program's infant formula rebate contractor. In October 2016, Abbott was awarded the infant formula rebate contract that went into effect on November 1, 2016. Authorized stores will see no immediate changes with the new contract. The Virginia WIC Program will continue to prescribe the various primary infant formula products, i.e., Similac

Advance powder, concentrate and ready -to-feed formulas. There is no change to the minimum stocking requirement of nine containers for the Similac Advance powder infant formula.

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### [Annual and Reauthorization Training](#)

A big “Thank You” goes out to all of our retailers for submitting the annual training requirements on time. The Virginia WIC Program had 100 percent of the WIC authorized stores reporting that they had completed the annual training requirement for 2016.

The current WIC contract expires on September 30, 2017. As required by Federal WIC Regulations, all stores are required to have reauthorization training prior to the start of the new contract period. Unlike this year's training, reauthorization training must be interactive. Reauthorization training sessions are expected to become available beginning July 2017. Stay tuned for additional details in the coming months.

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### [Virginia WIC Factoids \(FFY 2016 ending 9/30/2016\)](#)

<b>Active Clients (average per month)</b>	133,000
<b>Active Families (average per month)</b>	85,000
<b>Authorized Retailers (as of 9/30/2016)</b>	849
<b>Total Reimbursements</b>	\$83,765,661

#### **Store Monitoring Reviews**

Total Reviews	775
First Failed Reviews (warning letter)	65
Second Failed Reviews (\$100 fine)	13
Third Failed Reviews (disqualification)	1

#### **Formula/Food Audits**

Total Audits	15
Failed Audits	3

#### **Compliance Buys**

Total Buys	25
Warning Letters	3
Fines	0

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### [Monitoring Visits and WIC Retail Manual Access](#)

Each WIC authorized store is required to keep a copy of their WIC Retailer Manual in their WIC binder. Due to excessive printing costs

and the prevalence of computers throughout most WIC authorized retail stores, an online version of the retailer manual is now an acceptable alternative to the hardcopy Retailer Manual. The link below can be used to download the electronic version of the manual to save on one or more of your store's computers.

If your store does not have an external internet connection, or otherwise prefers not to have an electronic version of the manual, printed manuals are still available upon request. But regardless of whether your store prefers the electronic or paper version of the retailer manual, each store is still required to have the manual readily accessible to store management at all times the store is open for business.

[WIC Retailer Manual](#)

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### **Certified Trainer Update**

Annual refresher training for WIC Certified Trainers has been completed for this year. The following changes are being made for the coming year:

- The next refresher training will be in 2018, as we change from an annual to a biennial (every two years) refresher training cycle.
- Certified trainers will be provided with important program changes and/or updates via webinar training annually or as required by USDA.
- Train-the-Trainer workshops (a two day on-site session) will be offered annually in the early spring or late fall.
- For corporations with five or more attendees, Train-the-Trainer workshops may be made available at your location upon request.

If you have questions in reference to the WIC Certified training and/or trainer status, please email [Freda.Bolling@vdh.virginia.gov](mailto:Freda.Bolling@vdh.virginia.gov) or call her at (804) 864-7814.

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### **Competitive Pricing of WIC Foods**

WIC Program regulations require each state agency to help contain program costs by selecting retailers with competitive prices, as well as monitoring retailer prices to ensure that program funds are able to benefit as many eligible women, infants and children as possible. Each retailer's prices for WIC food items must pass the competitive price criterion set by the State WIC agency – at the time of initial authorization and throughout the period of the vendor agreement.

Quarterly, the Virginia WIC Program conducts a competitive price analysis on each WIC retailer based on selected food items using EBT redemption data. The retailer's prices are compared to its peer group's High Price Mark for each food item. If the retailer exceeds the High Price Mark for an unacceptable portion of the food items being reviewed, the state agency will issue a warning letter notifying the retailer that their prices have become non-competitive and request adjustments. Retailers that continue to exceed their peer group's High Price Mark in future analyses can have their WIC authorization terminated.

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### **Passage of the Virginia Breastfeeding Law**

## By Jarene Fleming, IBCLC State Breastfeeding Coordinator

Breastfeeding is the optimal standard for infant and young child nutrition. Human milk is the ideal food for infants, and the only food babies need for the first six months of life. The U.S. Department of Agriculture (USDA), the U.S. Department of Health and Human Services (HHS), the American Academy of Pediatrics (AAP), the World Health Organization (WHO) and the Virginia Department of Health (VDH), all encourage families to exclusively breastfeed infants for six months and to continue for a minimum of one year as complimentary foods are added to the infant's diet.

The laws to protect public breastfeeding in Virginia have evolved over the years as attitudes about the practice have changed and scientific evidence about the importance of breastfeeding has mounted. The strongest and most comprehensive legislation to protect a mother's right to breastfeed in public became effective on July 1, 2015. The Virginia General Assembly passed **Code of Virginia 32.1-370. Right to breastfeed** which states in relevant part, "A mother may breastfeed in any place where the mother is lawfully present..." the law can be read in its entirety here: <http://law.lis.virginia.gov/vacode/title32.1/chapter17/section32.1-370/>. With this protection, families can breastfeed wherever they are permitted to be, including retail outlets, restaurants, childcare centers, medical facilities, libraries, and faith centers; basically any public place.



Employers must take care to avoid infractions of the Right to Breastfeed law by educating their employees, particularly those that interact with the public. There are penalties for businesses found to be in violation of VA Code 32.1-370. A business owner found guilty of a Class 1 misdemeanor could receive a jail term of up to 12 months, a fine of up to \$2,500, or both, and be subject to a civil lawsuit and injunction. Employers can ensure compliance by providing training to employees on the legal rights of breastfeeding mothers during routine employment on-boarding, by posting information about the law in the workplace, and by developing and adopting appropriate policies. Businesses may also consider posting Breastfeeding Welcome Here signage. The Virginia Department of Health has an email address for constituent questions or concerns about this law; correspondence may be emailed to [vabreastfeeds@vdh.virginia.gov](mailto:vabreastfeeds@vdh.virginia.gov). A helpful fact sheet for businesses developed by the Consortium for Infant & Child Health (CINCH) and Old Dominion University, School of Nursing can be found at <http://www.cinchcoalition.org/breastfeeding/>.

Business owners should also be aware of Federal laws regarding breastfeeding in the workplace. The Federal Break Time for Nursing Mothers under the Fair Labor Standards Act (FLSA) has a number of mandates for businesses, to read the full document visit: [https://www.dol.gov/whd/nursingmothers/Sec7rFLSA\\_btmn.htm](https://www.dol.gov/whd/nursingmothers/Sec7rFLSA_btmn.htm). The Patient Protection and Affordable Care Act (ACA) amended section 7 of the FLSA to require employers to provide nursing employees with certain rights. The ACA requires employers to provide: reasonable break time each time such employee has a need to express milk for one year after the child's birth, and a place other than a bathroom shielded from view and free from intrusion from coworkers and the public, that may be used by an employee to express breast milk. Comprehensive lactation support programs increase employee retention rates, decrease absenteeism, decrease health care costs, improve employee productivity, and support family-friendly communities. All Virginia businesses are encouraged to accommodate the breastfeeding needs of mothers and their children, be they customers, patients, constituents, or employees. Our combined efforts will help make Virginia the healthiest state in the nation.

## Returning Stand-Beside POS Equipment

WIC authorized retailers using the Xerox Stand-Beside Point of Sale (POS) equipment to process eWIC transactions are required to return their equipment when their WIC authorization is terminated.

To return the POS equipment, please call 1-800-261-0434 and speak to a customer service representative (option 3, sub-option 3). You may be asked to provide the store's SNAP number and/or WIC ID number. Once the store information is verified, a pre-paid Smart Post shipping label and a shipping box for the equipment to be returned will be sent to the store via mail. When these materials have been received, please follow these steps to complete the process:

- Place the equipment to be returned in the box including power packs and all cables.
- Attach enclosed pre-paid Smart Post shipping label to outside of the box.
- Drop the sealed box off at any post office.

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## The New WIC Website

The redesigned WIC website makes finding WIC information much easier than before. The [WIC Retailer homepage](#) provides general information related to WIC Retailers, but the details can now be easily found in the three sub-pages:

1. The "[Becoming a Retailer](#)" webpage provides an outline of the authorization process, with links to all of the documents needed to complete the authorization process.
2. The "[Resources](#)" sub-page contains links to all of the online food information, forms, manuals and regulations and other information resources available to WIC Retailers, as well as this and previous editions of the Retailer Bulletin.
3. The "[Guidelines and Regulations](#)" sub-page provides links to the Retailer Manual and the State and Federal WIC regulations. The links to all of these pages are listed below and can be bookmarked in your browser for easy access.

Additional information about the Virginia WIC Program can be found on the [WIC Homepage](#).



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**Our mailing address is:**

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- (2) fax: (202) 690-7442; or
- (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

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