

December 21, 2012

REGULATORY ALERT 2012 – 01

NOTICE OF CHANGES TO THE CALIFORNIA WIC PROGRAM

Purpose

The California Supplemental Nutrition Program for Women, Infants, and Children (WIC) would like to inform stakeholders of the Program that on September 29, 2012 the Governor signed Assembly Bill (AB) 2322 into law which took effect immediately. The requirements of this law are included in Health and Safety code sections 123280, 123312, and 123322.

Authority

AB 2322 requires the California WIC Program to do the following:

- 1) Adopt all mandatory federal WIC laws and guidelines as requirements for operating the California WIC Program
- 2) Specify the criteria and actions the Program will take when initiating a moratorium on WIC Program vendor applications for new locations
- 3) Establish requirements for the following:
 - Vendor peer groups and reimbursement
 - Criteria used for vendor authorization
 - WIC Program authorized foods

Changes and Updates in Program Rules

The Program has authority to adopt these requirements with a bulletin notice or similar instruction which will be described as a WIC Regulatory Bulletin.

Changes that take effect immediately:

No prior notice or stakeholder input is required for adoption of item 1 above.

Changes that require notice:

In initiating a new moratorium (item 2 above), before the WIC Regulatory Bulletin is placed into effect, the Program shall provide 30 days' notice to affected stakeholders. The notice shall include: the reason for and duration of the moratorium, an action plan that addresses the need for the moratorium, and exceptions for processing applications during the moratorium period.

In establishing program requirements (item 3 above), before the WIC Regulatory Bulletin is placed into effect, the Program shall provide notice to affected stakeholders, including vendors, manufacturers, local agencies, participants, advocates, consumer groups, and their respective associations. The notice shall state the reasons and authority for the change. The notice shall provide opportunity for written comments and a meeting with stakeholder representatives.

Action for Stakeholders

Stakeholders of the California WIC Program should monitor the WIC website at <http://www.cdph.ca.gov/programs/wicworks/Pages/WICRegulations.aspx> for actions related to changes in the WIC Program such as notifications of proposed actions, timeframes for public comments, and notices when a proposed action is placed into effect.

Email Notification and Alerts

Stakeholders who wish to be personally informed of the proposed actions should subscribe to WIC email notification by visiting: <http://apps.cdph.ca.gov/listssubscribe/default.aspx?list=cdphwicvendors>

Comments or Questions

Send comments or questions to the California WIC Program at WICRegulations@cdph.ca.gov and provide the Regulatory Alert number in the subject line.



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