

WYOMING WIC PROGRAM

VENDOR MANUAL



Revised June 2015

TABLE OF CONTENTS

TABLE OF CONTENTS.....	2
INTRODUCTION.....	3
DEFINITIONS.....	4
WHAT IS WIC?	8
FOODS AVAILABLE IN THE WIC PROGRAM.....	10
MINIMUM STOCKING OF WIC AUTHORIZED FOODS.....	18
REQUESTING A UPC BE ADDED TO THE WIC UPC DATABASE.....	21
MAPPING FRESH PRODUCE.....	22
WIC LOGO/SHELF TAGS.....	23
CASHIER TRAINING.....	23
RECEIPT INFORMATION.....	24
IMPORTANT POINTS TO REMEMBER WHEN ACCEPTING A WYO W.E.S.T. CARD.....	24
WIC BENEFITS - ISSUANCE TO REDEMPTION.....	26
CLAIM FILE SUBMISSION.....	27
PAYMENT DISPUTES.....	27
OTHER TRANSACTION ERRORS.....	28
PAYMENT APPEALS.....	29
WIC EBT PRICING AND PROMOTIONS.....	29
VENDOR PEER GROUPS AND COMPETITIVE PRICING.....	30
VENDOR MONITORING.....	30
REPORTING PARTICIPANT MISUSE.....	31
VENDOR AUTHORIZATION INFORMATION.....	32
POTENTIAL ABOVE 50% STORES.....	33
SELECTION CRITERIA USED TO AUTHORIZE A VENDOR.....	33
VENDOR VIOLATIONS AND SANCTIONS.....	35
CIVIL MONEY PENALTIES IN LIEU OF DISQUALIFICATION.....	38
WIC/SNAP DISQUALIFICATION.....	39
APPEALS/REVIEWS.....	40
ADMINISTRATIVE APPEAL PROCEDURE.....	40
APPENDIX.....	42

INTRODUCTION

This manual has been prepared for guidance in training personnel, as well as to assist in answering your questions about the Wyoming WIC Program requirements. All previous versions of the Vendor Manual are obsolete.

Each local WIC office is responsible for monitoring and training all authorized WIC vendors in their area.

My area vendor monitor is: _____

Telephone: _____

Available on the following days: _____

If you cannot reach your local vendor monitor, you may contact the State office by calling or writing.

State Office Information

6101 Yellowstone Road

Suite 420

Cheyenne, WY 82002

Phone: 307-777-7494

Fax: 307-777-5643

Website: <http://www.health.wyo.gov/familyhealth/wic/index.html>

State Office Vendor Staff

- Tina Fearneyhough, Wyoming WIC Vendor Coordinator
 - Phone: 307-777-6009
 - tina.fearneyhough@wyo.gov
- Melissa Sosa, Wyoming WIC Vendor Technician
 - Phone: 307-777-7845
 - melissa.sosa@wyo.gov

WYO W.E.S.T. Customer Service

1-888-WYO-WEST (1-888-996-9378)

Vendor Support

wdh-wyvicebt@wyo.gov

DEFINITIONS

ACH: Automated Clearing House. An electronic network for financial transactions. ACH credit transfers include vendor payments.

Authorized Foods: Those supplemental foods authorized by the Wyoming WIC Program for issuance to a particular participant.

APL: Authorized Product List. Contains all products which are eligible for purchase with a WYO W.E.S.T. card.

ARF: Auto Reconciliation File. The Wyoming WIC Program creates an Auto Reconciliation File for each good Claim File submitted by the vendor. The purpose of the Auto Reconciliation File is to assist vendors in resolving discrepancies between what was claimed and what was paid. The file will contain the final disposition of all transactions received by the Wyoming WIC Program from the vendor, as well as detailed payment and adjustment information at the UPC level.

Beginning Balance Receipt: This receipt will print at the beginning of the transaction and will list the description of the food items available to be purchased, as well as list the quantity that may be purchased on the card at the time the receipt is printed. This receipt **must be given** to the WIC participant.

Cash Value Benefit: A fixed-dollar amount added to a participant's WYO W.E.S.T. card which is used by a participant to obtain authorized fruits and vegetables.

Cash Value Receipt: This receipt is printed for the vendor to indicate the cash value of the WIC purchase. This receipt is not required to be printed at the grocery store and if printed is not a receipt that needs to be given to the WIC participant.

Claim File: A file that is passed to the Wyoming WIC Program that includes details of individual WIC transactions.

Compliance Buy: A covert, on-site investigation in which a representative of the Wyoming WIC Program poses as a participant, parent, or caretaker of an infant or child participant, or proxy, and purchases/attempts to purchase WIC benefits with a WYO W.E.S.T. card, and does not reveal during the visit that he or she is a program representative.

Conflict of Interest: A conflict of interest exists when:

- there is a pecuniary (financial) relationship between the vendor and the WIC Program or the local agency.
- relatives serve WIC participants.
- training or monitoring visits are conducted by a local vendor monitor who may be related to the grocery store owner or other store management staff.

Conflicts of interest are prohibited between the Wyoming WIC Program and the vendor, and/or the local WIC agency and the vendor. The Vendor Agreement shall be terminated if the Wyoming WIC Program identifies a conflict of interest between the vendor and the program or its local agencies.

Coupon: A digital or printed voucher that allows a customer to receive a product at a reduced price or at a higher quantity; coupons may be provided to customers by vendors, manufacturers, or other entities.

Cost Containment: A provision of the Child Nutrition and WIC Reauthorization Act of 2004 that requires WIC State agencies to implement a vendor peer group system, competitive price criteria, and allowable reimbursement levels in a manner that ensures the WIC Program pays authorized vendors competitive prices for supplemental foods.

EBT: Electronic Benefit Transfer. The electronic transfer of government benefits to individuals through the use of card technology and point-of-sale terminals.

ECR: Electronic Cash Register. A point-of-sale device that supports retail transactions.

Ending Balance Receipt: This receipt will print at the end of the WIC transaction and will list the description and quantity of the food items left on the card that are still available to be purchased. This receipt **must be given** to the participant.

Error File: The Error File describes problems encountered by the Wyoming WIC Program while attempting to process a claim file. Once a claim file level error has been detected, the claim file cannot be processed. If the claim file submitted by the vendor contains multiple errors, only the first error that the system encounters will be displayed. The system discontinues processing upon the first error encountered.

FNS: Food and Nutrition Service. The division of the United States Department of Agriculture (USDA), responsible for oversight of the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) at the national and regional levels.

FTP: File Transfer Protocol. A standard for transferring files between computers on a network, such as the internet. FTP can be secure or standard.

High-Risk Vendor: A vendor identified as having a high probability of committing a vendor violation through application of the criteria established in 7 CFR 246.12(j)(3) and any additional criteria established by the Wyoming WIC Program.

Hot Card: A card that has been invalidated for any reason including loss, theft, or administrative action by the Wyoming WIC Program. These cards appear in the "Hot Card" List file.

HCL: Hot Card List. A file containing the primary account number (PAN) of any WIC EBT smart card which has been invalidated for any reason, including loss, theft, or administrative action by the WIC Program.

IFPS: International Federation for Produce Standards. A coalition of fruit and vegetable associations from around the globe that joined together in 2001 as equal partners to pursue the task of introducing a global standard for the use of international Price Look-Up (PLU) numbers.

In-store Promotion: A sales promotion in which a vendor may offer incentive items, vendor discounts, or coupons in order to increase sales of certain items or encourage customer loyalty to the vendor.

Incentive Item: An item or service provided by a vendor to attract customers or encourage loyalty.

Integrated POS System: The equipment and related software that is used by the WIC vendor to process all transactions including WIC (i.e., PIN pad, cash register, and back office processing software).

Inventory Audit: The examination of food invoices or other proofs of purchase to determine whether a vendor has purchased sufficient quantities of supplemental foods to provide participants the quantities specified on WIC receipts or the electronic journal and redeemed by WIC benefits at the vendor during a given period of time.

Large Grocer: A grocery store with six or more cashier lanes.

Mixed Basket Transaction: A WIC electronic benefits transfer transaction that includes WIC and non-WIC items and, therefore, requires more than one tender type.

NTE: To-Not-Exceed amounts for which WIC vendors are subject to price limitations on WIC authorized foods.

Pattern: A pattern will be based on the severity of the violation and will vary per incidence.

PAN: Primary Account Number. A numeric field that identifies the issuing State/Program and the account to whom the card was issued. It is located on the front of the WYO W.E.S.T. card.

Peer Groups: A WIC classification of authorized vendors into groups based on common characteristics or criteria that affect food prices for the purposes of applying appropriate competitive price criteria to vendors at authorization and limiting payments for food to competitive levels.

POS: Point of Sale.

Price Look Up Code (PLU): A four or five digit code assigned by the International Federation for Produce Standards (IFPS). PLUs are used by a WIC Vendor to identify products that typically are of variable measure, such as fresh fruits and vegetables. The trailing four digits of organic products represent the standard PLU for a food item.

Proxy: Any person designated by a woman participant, or by a parent or caretaker of an infant or child participant, to obtain and transact WYO W.E.S.T. card benefits or to obtain supplemental foods on behalf of a participant. The proxy must be designated consistent with the Wyoming WIC Program's procedures established pursuant to 7 CFR 246.12 (r)(1). Parents or caretakers applying on behalf of child and infant participants are not proxies.

Redemption Mode: The normal full-featured processing mode that will allow both balance inquiries and WIC benefit redemptions that result in decrementing benefits from the card.

Redemption Receipt: This is the same type of store receipt that is provided to customers for non-WIC transactions. Items purchased with WIC benefits must be identified on the receipt. This receipt **must be given** to the WIC participant.

Routine Monitoring: Overt, on-site monitoring during which WIC Program representatives identify themselves to vendor personnel.

Sanction: An administrative action taken as a result of a violation.

Small Grocer: A grocery store with fewer than six cashier lanes.

Smart Card: A payment card that has an integrated microcomputer chip embedded on the card.

SNAP: Supplemental Nutrition Assistance Program (formerly the Food Stamp Program).

Stand-Beside POS System: The equipment and related software that is used by the WIC vendor to process WIC transactions only, but is not integrated with the cash register.

Training Mode: Used to educate grocery store personnel on the operation of the WIC transactions in the grocer system. Special training cards that have been provided by the Wyoming WIC Program must be used. These cards are designated by the 8th digit of the PAN being a 9.

Universal Product Code (UPC): A specific type of barcode used to identify products sold by the WIC vendor. The numbers shown in the barcode are entered on the APL file to identify authorized WIC food items.

Utilization Receipt: This receipt will print after items have been totaled, and WIC is being tendered. It will show the participant what food items will be decremented from their WIC benefits. This receipt **must be given** to the WIC participant before they are directed to approve (yes/enter) or disapprove (no/cancel) the WIC transaction.

Vendor: A sole proprietorship, partnership, cooperative association, corporation, or other business entity operating one or more grocery stores authorized by the Wyoming WIC Program to provide authorized supplemental foods to participants under a retail food delivery system. Each grocery store operated by a business entity constitutes a separate vendor and must be authorized separately from other grocery stores operated by the business entity. Each vendor must have a single, fixed location, except when the authorization of mobile grocery stores is necessary to meet the special needs described in the Wyoming WIC Program's State Plan in accordance with 7 CFR 246.4 (a)(14)(xiv).

Vendor Authorization: The process by which the Wyoming WIC Program assesses, selects, and enters into agreements with vendors that apply or subsequently reapply to be authorized as vendors.

Vendor Discount: An in-store promotion that reduces the price or increases the quantity of a given product; a vendor discount could also result from the use of a coupon.

Vendor Overcharge: Intentionally or unintentionally charging the Wyoming WIC Program more for authorized supplemental foods than is permitted under the Vendor Agreement.

Vendor Selection Criteria: The criteria established by the Wyoming WIC Program to select individual vendors for authorization consistent with requirements in 7 CFR 246.12(g)(3).

Vendor Violation: Any intentional or unintentional action of a vendor's current owners, officers, managers, agents, or employees (with or without the knowledge of management) that violates the Vendor Agreement or Federal or State statutes, regulations, policies, or procedures governing the Program.

Void Receipt: This receipt will print if the sale is voided. This receipt **must be given** to the WIC participant.

WYO W.E.S.T.: **Wyoming WIC EBT System Today.** It is the EBT card that is used to issue/redeem WIC benefits for Wyoming WIC participants.

WHAT IS WIC?

WIC is a federally-funded program that provides supplemental foods, health care referrals, and nutrition education for low-income pregnant, breastfeeding, and non-breastfeeding postpartum women and for infants and children (up to age 5) who are found to be at nutritional risk.

Benefits to participants in the WIC Program include:

- Education and counseling about nutrition and health
- Referrals to other health services that can be of assistance
- Education, training, and support for successful breastfeeding
- Nutritious supplemental foods prescribed by WIC staff

The goals of WIC are to:

- Reduce the incidences of low birth weight babies
- Increase the incidence and duration of breastfeeding
- Increase knowledge of nutrition and preventative health

Participant Eligibility

A participant is eligible if they:

- Live in Wyoming
- Are a pregnant, breastfeeding woman (eligible up to 1 year after delivery) or postpartum woman who is not breastfeeding (eligible for six months after delivery); or an infant or child (up to age 5)
- Have a medical or nutrition need
- Have a household income that is based on household size and is less than or equal to 185% of the poverty level (income guidelines are set by the Federal Government and are updated annually)

How is WIC funded?

WIC is funded by the United States Department of Agriculture (USDA) and administered by the Wyoming Department of Health, Public Health Division. The WIC Program was established in 1972 by Congress and adopted in Wyoming in 1980. Local WIC Program services are available in all counties in Wyoming. Generally, these local programs are co-located with Public Health Nursing Services.

Why does WIC specify infant formula brands?

Congress has mandated that WIC must use the infant formula company that provides the greatest savings to the Program. Wyoming joined a purchasing alliance with 20 western states, U.S. Territories, and Indian Tribal Organizations to achieve the greatest buying power. The Wyoming WIC Program agrees to purchase the manufacturer's formula and in return, the manufacturer agrees to pay a rebate for each container of their infant formula purchased through the WIC program. Because of the competitive bidding process, the infant formula brand provided by the program is subject to change.

How do the vendors fit into the program?

Vendors (grocery stores) are critical to the success of the WIC Program. WIC participants receive WYO W.E.S.T. cards at their local WIC clinic. These cards contain food prescriptions designed to meet the specific nutritional needs of the participant, promote the healthiest possible birth outcomes, and promote the growth and development of children. WIC Participants redeem their food benefits at grocery stores for the WIC approved foods listed on the WIC receipt. Vendors act as the final step in the WIC process, ensuring that WIC participants receive the nutritious foods prescribed to them.

Signed Vendor Agreements:

State and Federal regulations mandate a signed Vendor Agreement be implemented before any WIC transactions can occur. The signed Vendor Agreement is proof that the vendor is committed to following State and Federal regulations outlined in the Vendor Manual, Vendor Agreement, and any updates or addendums that may be issued (i.e., email correspondence). The Vendor Agreement requires vendors to provide WIC foods at a competitive price.

Vendor Email:

All correspondence or policy/procedure changes will be communicated to stores via email. An email address is required for every WIC authorized vendor.

What is a Smart Card?

The card looks like a credit card that contains an integrated microcomputer chip providing it with significant memory, storage, and processing power (considered off-line technology). A system, which uses a card to issue/redeem benefits, is called Electronic Benefit Transfer (EBT).

WYO W.E.S.T. Card:

WYOming **WIC** **EBT** **System** **Today**. Below is a picture of Wyoming WIC's EBT card.



Equipment Problems:

Any hardware/software problems related to WIC transactions will need to be resolved by vendor staff or by the vendor's technical support. The Wyoming WIC Program is not responsible for servicing equipment in the grocery stores. Failure to take corrective action to get WIC transaction processing operational when it is inoperable may result in a sanction.

Note: If a system is temporarily unable to process WIC transaction, the vendor must inform participants by posting signs at all store entrances and in all non-working lane(s). Note: If SNAP transactions are not working, it does not mean that WIC transactions will not work.

Card Problems

Participants will need to contact their local WIC clinic for any WYO W.E.S.T. card specific problems. If the local WIC clinic is not available, call the State Office at 307-777-7494 or 1-888-WYO-WEST.

FOODS AVAILABLE IN THE WIC PROGRAM

Foods approved by the Wyoming WIC Program are chosen based on their nutrient content, availability, cost, and acceptance by participants. WIC authorized foods are rich sources of WIC target nutrients such as; iron, calcium, protein, vitamins A and C, fiber, folic acid, vitamin B6, magnesium, and zinc. These nutrients are often missing in the diets of women, infants, and young children. WIC foods are meant to supplement participants' diets.

Participants must always select foods by the designated types and specific brands listed on the WIC Food Shopping Guide. Some brands of particular foods are fortified with certain nutrients, while other brands of the same type of food are not. **NO SUBSTITUTIONS ARE ALLOWED.**

Food Shopping Guide:

Always keep a Wyoming WIC Food Shopping Guide at each cash register lane to verify WIC eligible food. WIC participants have received the same brochure from their local WIC clinic. This guide is usually updated every two years in October. **IF A BRAND OR TYPE OF FOOD IS NOT ON THE FOOD SHOPPING GUIDE, IT IS NOT APPROVED!**

WIC Foods provided for infants:

- Iron-Fortified Infant Formula (If the baby is not exclusively breastfed)
- Infant Foods for infants 6-12 months of age
 - Infant Cereal
 - Infant Fruits and Vegetables
 - Infant Meats (for exclusively breastfed infants only)

WIC Foods provided for women and children:

- Milk
- Soy Beverage
- Cheese
- Eggs
- Juice
- Iron-Fortified Breakfast Cereals
- Dry or Canned Beans/Peas, and/or Peanut Butter
- Fresh Fruits and Vegetables

- Whole Grain Foods, such as; 100% Whole Wheat Bread, Brown Rice, Oatmeal, Corn and Whole Wheat Tortillas

Exclusively breastfeeding women, and women pregnant with multiples also receive:

- Water-Packed Tuna and Salmon
- Increased amounts of eggs, cheese, and milk

DAIRY

Milk

- Must be pasteurized
- Store brand only (except for acidophilus, buttermilk, lactose free, goat's milk, and quart sizes of all milk)
- Fortified with Vitamins A & D
- Gallons, half gallons, or quarts
- Whole milk for children 12-23 months
- Lowfat (1%), fat free (skim), buttermilk, or nonfat dry milk for woman and children 2 to 5 years old
- Reduced fat (2%), lactose free/reduced, acidophilus, evaporated milk, and goat's milk (evaporated, powdered, and fresh) only if specified on the participant's benefit receipt
 - ***Not Allowed:***
 - Flavored/sweetened milk
 - Organic
 - Value-added
 - Raw/unpasteurized
 - Name brands (except in quart sizes, or for acidophilus, goat's milk, buttermilk, or lactose free/reduced)

Soy Beverage

- Only the following are authorized:
 - 8th Continent Original or Vanilla (refrigerated)
 - Pacific Natural Ultra Soy Vanilla or Ultra Soy Plain (shelf stable)
 - Silk Original (refrigerated)
- May be substituted for milk and must be specified on the participant's benefit receipt
 - ***Not Allowed:***
 - Organic
 - Any other brands or flavors
 - Rice or almond beverages

Cheese

- Store brand and Kraft only
- 8 & 16 ounces block packages
- Cheddar, Cheddar-Jack, Colby, Colby-Jack, Longhorn, Monterey Jack, or Mozzarella

- String cheese (Mozzarella only, 16oz packages only)
- Deluxe American cheese slices (not individually wrapped)
 - **Not Allowed:**
 - Organic
 - Random weight/bulk
 - Shredded
 - Deli
 - Gourmet
 - Individually sliced and wrapped
 - Cheese food products, cheese spreads, cottage cheese, or cream cheese
 - Swiss or white American
 - Smoked
 - Cheese with added ingredients, i.e., Pepper Jack
 - Any other sizes of flavors

PROTEIN

Mature Legumes

- Any brand and variety
- 1 pound (16 oz) bag dried or 15 to 16 ounce can
- Beans, peas (no sweet), lentils, or fat free refried beans
- Low sodium
 - **Not Allowed:**
 - Organic
 - Immature beans or peas (i.e., sweet peas or green beans)
 - Soup mixes
 - Chili beans
 - Baked beans
 - Beans with meat
 - Snap greens
 - Wax or yellow beans
 - Beans with added flavorings, fat or oil
 - Any other sizes

Peanut Butter

- Any brand
- 16 to 18 ounce Jars
- Creamy, crunchy, or extra crunchy

- **Not Allowed:**
 - Organic
 - Peanut butter with added jelly, honey, marshmallow, etc.
 - Reduced/lowfat peanut butter
 - Whipped or squeeze bottles
 - Natural
 - Other nut butters
 - Any other sizes

Eggs

- Any brand
- Large 1 dozen
- White
- Grade A or AA
 - **Not Allowed:**
 - Organic
 - Brown
 - Eggland's Best or eggs with added omega-3 fatty acids
 - Cage-free or free-range
 - Medium or jumbo sized
 - Any other count package

WHOLE GRAINS

100% Whole Wheat Bread

- Any brand
- 16, 20, & 24 ounce packages
- 100% Whole Wheat Bread (must be specified on the package)
- First ingredient must be whole wheat flour
 - **Not Allowed:**
 - Organic
 - Enriched or bleached wheat flour
 - Any other flavors
 - Light or lite
 - Any other sizes
 - Hot dog or hamburger buns

Whole Wheat tortillas

- Only the brands specified on the WIC Food Shopping Guide
- 16 ounce packages

- **Not Allowed:**
 - Organic
 - White flour
 - Taco or tostada shells
 - Flavored
 - Low carb
 - Any other sizes

Corn Tortillas

- Any brand
- 8 or 16 ounce packages
- Soft, white, or yellow
 - **Not allowed:**
 - Organic
 - White flour
 - Taco or tostada shells
 - Flavored
 - Any other sizes

Brown Rice

- Any brand
- 16 or 32 ounce packages
- Short grain, long grain, or parboiled
 - **Not Allowed:**
 - Organic
 - Added flavors/seasonings
 - Mixes or dinners
 - Instant or ready to serve
 - Boil-in-bag
 - Any other sizes

Oatmeal

- Any brand
- 16 ounce packages
- Original flavor
 - **Not Allowed:**
 - Organic
 - Instant
 - Added flavors
 - Single serving packets (these are allowed under the cereal category only)

- Any other sizes

BREAKFAST CEREAL

Oatmeal:

- Only the brands specified on the WIC Food Shopping Guide
- 11.8 or 12 ounce box
- Original/regular flavor
- Individual packets

Cereal:

- Only those types and brands specified on the WIC Food Shopping Guide
- 12, 18, & 36 ounce packages
- Cereals with 6 grams or less of sugar in a 1 oz serving
- Cereals with at least 45% of the daily value for iron in a 1 oz serving
 - **Not Allowed:**
 - Organic
 - Any other kind/flavor
 - Any other size

JUICE

- Any brand
- Must contain 120% of the daily value for Vitamin C (30 mg. per 100-ml full-strength)
- 100% juice only (no sugar added)
- Apple, cranberry, grape (purple, red, or white), grapefruit, orange, pineapple, or vegetable
- Juices with added calcium

Women receive:

- 11.5 to 12 oz containers of frozen or non-frozen pourable concentrate
- Must reconstitute to 48 ounces

Children receive:

- 64 oz shelf stable plastic bottles
- 64 oz refrigerated plastic bottles or cartons (orange juice only)
 - **Not Allowed:**
 - Organic
 - Cocktail juices
 - Granny smith apple
 - Added sugar or added sugar substitutes
 - Any other flavors or sizes
 - Single serving containers unless specified on the participant's benefit receipt

Fresh Fruits and Vegetables

- Any brand and any size
- Whole, pre-cut, mixed, and packaged
- Organic
 - **Not Allowed:**
 - Frozen, dried or canned fruits and vegetables
 - Packages with dips or dressings
 - Fruits and vegetables from salad bars
 - Fruit baskets
 - Party trays with dressing or dip
 - Edible blossoms, flowers
 - Aloe leaves
 - Ornamentals and decorative fruits and vegetables, such as, chili peppers or garlic on a string
 - Gourds or painted pumpkins
 - Herbs/Spices:
 - Anise
 - Basil
 - Bay leaves
 - Caraway
 - Chervil
 - Chives
 - Cilantro
 - Dill
 - Fenugreek
 - Horseradish
 - Lemon grass
 - Marjoram
 - Mint
 - Oregano
 - Parsley
 - Rosemary
 - Sage
 - Savory
 - Tarragon
 - Thyme
 - Vanilla bean

- Wheat grass

INFANT PRODUCTS

Infant Cereal

- Only the brands specified on the WIC Food Shopping Guide
- 8 or 16 ounce containers
- Plain (rice, oatmeal, multigrain, or whole wheat)
 - **Not Allowed:**
 - Organic
 - Any other brands
 - Cereal in a can/jar
 - Cereal with added formula, fruit, yogurt, or DHA/ARA
 - Any other sizes or flavors

Infant Fruits and Vegetables

- Only the brands specified on the WIC Food Shopping Guide
- First, second, and third foods (2.5, 3.5, 4, or 6 ounce sizes)
- Single fruits (i.e., bananas, pears, peaches, applesauce) single vegetables (i.e., sweet potatoes, carrots, green beans, squash)
- Glass or plastic containers
- Multi-packs with single-ingredient fruits and vegetables
 - **Not Allowed:**
 - Organic
 - Mixtures, medleys, dinners,
 - Added DHA/ARA, sugar, starch, salt, or cereal
 - Desserts, cobblers, or custards
 - Graduates
 - Any other sizes or pouches

Formula

- WIC's current milk-based formula contract is with Abbott Nutrition. WIC's current soy-based formula contract is with Mead Johnson through September 30, 2015. The new soy-based formula contract will be with Nestle effective October 1, 2015. The most commonly issued formulas are Similac Advance.
- The brand, type, and size will always be specified on the participant's benefit receipt
 - **Not Allowed:**
 - Anything other than what is listed on the participant's benefit receipt
 - Substitutions or exchanges at the store

EXCLUSIVELY BREASTFEEDING

Infant Meats

- Only the brands specified on the WIC Food Shopping Guide
- 2.5 ounce glass jars
- Single meat variety with added broth or gravy
 - **Not Allowed:**
 - Organic
 - Added DHA/ARA, rice, pasta, noodles, salt, or sugar
 - Dinners
 - Graduates

Fish

- Tuna and pink salmon
- Any brand
- 5 or 6 ounce cans
- Light, chunk style
- Water packed only
- 3 oz can with pop top if specified on the participant's benefit receipt
 - **Not Allowed:**
 - Organic
 - Albacore or white tuna
 - Red, blueback, Atlantic, sockeye, or coho salmon
 - Oil packed
 - Pouches or foil packs
 - Lunch kits
 - Gourmet, flavored, or seasoned
 - Any other sizes

MINIMUM STOCKING OF WIC AUTHORIZED FOODS

Each vendor is required to stock a minimum variety and quantity of each type of WIC authorized food (which may not be past its "sell by", "best if used by", "use by", or any other date limiting the sale or use of food item). The specific stocking requirements are referenced in the table below.

Stocking requirements differ for grocery store types.

- Large grocery store = 6 or more cashier lanes
- Small grocery store = 5 or less cashier lanes

If a vendor is out of stock of a specific item, the vendor CANNOT SUBSTITUTE it for another item. If the vendor does **not** have adequate stock:

- The local vendor monitor will verify with vendor staff that additional stock is not present in the grocery store elsewhere.
- The local vendor monitor will verify the vendor has, or is applying for, a WIC Product Waiver (found in the Appendix). If so, the vendor will not be required to stock certain WIC authorized foods:
 - Powdered Gerber Good Start Soy
 - Any Infant Formula
 - Any Infant Products
 - Fish
- Vendor staff will be advised that they are in violation of their current Vendor Agreement. The vendor will be sanctioned six points if stock is not met at the next local vendor monitor visit (within 30 days) and the Vendor Agreement can be terminated.
- A new vendor will not be authorized until the minimum stocking requirements are met.

A LARGE PERCENTAGE OF WIC FOOD BENEFITS ARE REDEEMED THE FIRST FEW DAYS OF THE MONTH. BE SURE YOUR SHELVES ARE WELL STOCKED AT THAT TIME WITH WIC APPROVED PRODUCTS.

Authorized Food	Size	Minimum Stock	
		Small (SG)	Large (LG)
Milk Two varieties of fat content (1 must be whole milk) store brand only	Gallon and Quarts	4 gallons and 2 quarts whole 4 gallons and 2 quarts 1% or skim	8 gallons and 4 quarts whole 8 gallons and 4 quarts 1% or skim
Cheese Two different flavors (store brand or Kraft)	16 ounces	4 packages	8 packages
Eggs Large A or AA	1 dozen	4 dozen	8 dozen
Juice Two different flavors each (11.5 - 12 ounce frozen/ non-frozen concentrates and 64 ounce refrigerated or shelf stable)	11.5 - 12 ounces 64 ounces	4 cans 4 bottles	8 cans 8 bottles
Adult Cereals Four different varieties (two must be whole grain - refer to WIC Food Shopping Guide.)	12, 18, and 36 ounce	12 boxes	18 boxes
Peanut Butter Creamy or crunchy	16 - 18 ounces	3 jars	6 jars
Beans/Peas Two different varieties each (dried)	1 pound	4 packages	8 packages

Authorized Food	Size	Minimum Stock	
		Small (SG)	Large (LG)
Canned Fish Must carry both tuna and salmon	5 or 6 ounces	4 cans each	8 cans each
Whole Grains - 100% Whole Wheat Bread, Brown Rice, Oatmeal, Corn or Whole Wheat Tortillas Two different types (one must be 100% whole wheat bread)	16 ounces	4 loaves of 16 ounce bread Other whole grains - 4 packages	8 loaves of 16 ounce bread Other whole grains - 8 packages
Fresh Fruits and Vegetables SG - Two types required LG - Four types required	Any - bulk or packaged, whole, or cut up	5 pounds	10 pounds
Infant Cereal Two types (plain, no fruit added)	8 or 16 ounces	2 boxes	6 boxes
Similac Advance Infant Formula UPC: 070074559582	12.4 ounce powder	6 cans	12 cans
Gerber Good Start Soy UPC: 050000035304	12.9 ounce powder		6 cans
Infant Fruits/Vegetables Three different single ingredient types each (fruits and vegetables)	1st, 2nd, or 3rd foods - 2.5 - 8 ounces glass or plastic	20 containers	64 containers
Infant Meats SG - 2 different types LG - 3 different types	2.5 ounces	10 containers	20 containers

SOY BEVERAGE

Soy beverage is a substitution for regular milk and is not required to be stocked on the shelves; however, if a WIC participant requests it, the vendor must attempt to stock it within 72 hours.

FORMULA

Occasionally “special” formula will be issued to a WIC participant and must be specified on the participant’s WIC WYO W.E.S.T. card/benefit receipt. We ask that WIC participants communicate with the grocery store when they need a special formula which is not normally stocked in sufficient quantities in the store to meet their needs. **The vendor must stock, within 72 hours, special formula at the request of the WIC participant and/or local WIC clinic. This formula should be available two days before the first of the month while requested. A hardship exemption may be applied for in writing to the State Vendor Coordinator regarding the 72 hour time frame which will be evaluated on an individual basis.**

- If a limited amount of formula is available on the shelf and more is located in a separate area, please post a sign to inform customers that you have additional formula and where to request it.
- An exception to the above infant formula/food requirements may be made in certain areas where infant formula/food is not being utilized. A Product Waiver must be signed by both the State Vendor Coordinator and the vendor to be kept in the vendor's file.
 - Any vendor, who is granted an infant formula/food exception, must agree to have the infant formula/food available within 72 hours of the initial request by the WIC Program, and continue to keep the formula/food stocked as long as it is needed by the participant(s).

NOTE: The Wyoming WIC Program is required to maintain a list of infant formula wholesalers, distributors and retailers licensed in the state, and infant formula manufacturers registered with FDA, from which authorized vendors shall purchase infant formula. This list may be requested from state or local WIC staff.

REQUESTING A UPC BE ADDED TO THE WIC UPC DATABASE

If an item is not in the WIC UPC database, and is not scanning as a WIC item in the POS, please follow one of the steps below.

1. Take a picture of the product (include the name of the product, size, UPC code, nutrition facts panel, and ingredients) using a smart phone and email the pictures to wdh-wyvicebt@wyo.gov.
2. Or, complete the Wyoming WIC Program UPC Addition/Change Request Form (found in the Appendix) and include:
 - a. The product name
 - b. Size of the product
 - c. Price
 - d. 12-Digit UPC (including any leading numbers as well as the final check digit number located at the end of the bar code)



- e. Include a copy of the original product label with the following information:
 - Product name
 - Container size
 - Barcode
 - Nutrition information (nutrition facts panel and ingredients)
- f. Fax or email the completed form with a copy of the product label to state vendor staff:
 - Fax: 307-777-5643
 - Email: wdh-wyvicebt@wyo.gov

MAPPING FRESH PRODUCE

PLU Mapping

- Grocer systems must be capable of mapping any 'store assigned' IFPS PLU code, any non-IFPS PLU code and any IFPS generic PLU code (i.e., "any fruit", "any vegetable") for a WIC allowable fresh fruit or vegetable to an IFPS PLU that is "produce specific" and for a similar or same fruit or vegetable. An IFPS PLU code that identifies a specific fruit or vegetable by name and type is a produce specific PLU code (i.e., PLU #4011 for bananas or PLU #94011 for organic bananas). Also, grocer systems must be capable of mapping UPCs assigned by the distributor or grower to a WIC allowable fruit or vegetable to a produce specific PLU code for the same or similar fruit or vegetable.
- Vendors using PLU codes that are not IFPS PLU codes will need to convert and use IFPS PLU codes so cashiers will know what PLU to key-enter at the POS, or map current non-IFPS PLU codes to IFPS PLU codes.
- Vendors not using PLU codes to identify fresh fruits and vegetables in their store will need to begin use of IFPS PLU codes and train the manager, cashier and possibly others in their use and maintenance.
- Vendors using IFPS PLU codes will continue to use IFPS PLU codes; however, if a vendor uses the generic (i.e., any fruit, any vegetable) or retailer assigned PLU codes, those must be mapped in the ECR/POS system to a PLU code identifying a similar or same product. Example: A locally grown banana with a vendor assigned IFPS PLU defined in the standard as "any fruit" could be mapped to PLU #4011 or #94011, to denote non-restricted or organic
- Vendors in which in-store systems generate GS-1 data bars, and vendors whose suppliers/distributors deliver fresh fruits and vegetables with GS-1 data bars and packaged fresh fruits and vegetables with barcodes, will need to ensure WIC allowable fresh fruits and vegetables with these product identifiers are recognized at the POS as WIC, either because the data bar includes an IFPS product specific PLU code embedded OR because it is mapped to an IFPS product specific PLU code for a similar or same product.
- Vendors selling cut fresh fruit/vegetable medleys (not party trays) in which all fruits/vegetables are WIC allowable fresh fruit/vegetable, must map the retailer assigned PLU code to an IFPS product specific PLU code for any one of the included cut fruits/vegetables.
- If all fresh fruits and vegetables are not IFPS PLUs or mapped to IFPS PLUs, participants will not be able to purchase them. If you have any questions on the procedures for this, please contact your technical support.
- The Appendix contains an Excel spreadsheet containing all the Wyoming WIC allowable PLU codes. These are the only codes WY will recognize and allow for WIC purchase. You must use one of these 4 or 5 digit PLU codes when mapping.
 - PLUs for organic items will be 5 digits and begin with an 8 (i.e., 4011 is the PLU for regular bananas; 84011 is the PLU for organic bananas.)
 - Examples:
 - 033383902012-bag of carrots can be mapped to 4094 (bunched carrots).
 - If carrots are loose, map to 4562
 - If carrots are cut up, map to 4563
 - For mixed fruit or vegetables, choose one of the fruits or vegetables in the container/package for mapping

- i.e., container of cut-up melons (contains a mixture of watermelon, cantaloupe, and honeydew) can be mapped to 4034 honeydew

Note: PLU's in the claim file must contain a leading 1, left padded with zeros, and the check digit on the end.

WIC LOGO/SHELF TAGS

The WIC® logo and acronym are registered trademarks of the United States Department of Agriculture and therefore, WIC authorized vendors are not permitted to utilize any aspect of the WIC acronym or logo, or close facsimiles in the name of the store, store advertising, promotional material, or incentives. Use of the WIC acronym or logo, or close facsimiles in the name of the store, for advertising, promotional material, or incentives will result in sanctions. Use of the WIC acronym or logo, or close facsimiles prior to authorization in the name of the vendor, for advertising, promotional material, or incentives will cause a non-authorization status for 90 days from the notification of the inappropriate usage.

The Wyoming WIC Program will restrict the use of channel strips, shelf-talkers, or signage to only those provided or approved by the Wyoming WIC Program (all must include the Wyoming WIC Program's logo). Use of channel strips, shelf talkers, or signage is optional for WIC authorized vendors. To request channel strips or shelf-talkers provided by the Wyoming WIC Program, please contact local or state vendor staff.

The Wyoming WIC Program may approve vendor-supplied "WIC Approved" channel strips/shelf-talkers and/or signage. WIC authorized vendors must send a written request and justification to the State Vendor Coordinator if the vendor wants to supply their own channel strips or shelf-talkers and/or signage.

- Vendors must submit an actual sample, which must include the Wyoming WIC Program's Logo (acquired from state vendor staff), to the State Vendor Coordinator and must receive approval in writing prior to the use of any vendor-supplied channel strips or shelf-talkers or signage. Approval is not perpetual and must be submitted for again if changes are made to the approved channel strip or shelf talkers or signage. All costs associated with developing, printing, storing, supplying and using vendor-supplied labels must be paid by the vendor.
- WIC authorized vendors may have a sign, pamphlet, poster or brochure indicating that WIC is accepted at that store as long as the letters are printed in the same size and in the same print style.

WIC Vendor compliance with the policies regarding the use of the WIC Acronym and logo will be evaluated at the initial on-site authorization visit, any other on-site visits (regardless of the reason), during educational, or compliance purchase visits and by any other objective means.

CASHIER TRAINING

New cashiers should be trained how to do WIC transactions prior to a "live" WIC transaction. Cashiers should be trained using a WIC training card provided by the Wyoming WIC Program. The cash register lane can be placed in training mode and a WIC transaction simulated using the WIC training card. Benefits are never actually removed from a training card even though it will appear that benefits were removed from the card at the end of the WIC transaction. When the card is reinserted for a new transaction or balance inquiry, the benefits will be restored to the original balance. In training mode, all receipts will print just as they would in redemption mode.

Cashiers should be trained on both single tender (WIC-only transactions) and multi-tender transactions with WIC. The training card should be kept in the Vendor Handbook or an alternate place where it will not be lost. There is a Cashier Training Documentation form located in the Vendor Handbook that can be used by the vendor to document when cashiers are trained on WIC transaction procedures.

RECEIPT INFORMATION

Cashiers must provide ALL WIC receipts to WIC participants. These include:

- A Beginning Balance receipt which prints at the beginning of every WIC transaction
- A Utilization/Redemption receipt for review by the WIC participant which prints after the cashier tenders WIC and prior to the participant confirming the transaction
 - Items applied to WIC must be identified on the receipt
 - If the participant agrees with what is on the Utilization/Redemption receipt (food items to be removed from their benefits), they can press “enter” on the PIN pad to confirm
 - If the participant does not agree with what is to be taken off their WIC card, they can press “cancel” on the PIN pad which will allow the transaction to be corrected and WIC re-tendered
- An Ending Balance receipt will print after the entire transaction has been finalized
- A Cash Value receipt (to be optionally selected for use by the vendors).

Receipts in Training Mode

Training mode must have the capability to print all receipt types:

- Beginning Balance receipt
- Utilization\Redemption receipt
- Ending Balance receipt
- Cash Value receipt (if vendor opted to print this receipt in a regular transaction)

While a terminal is in training mode, all receipts must include the special status lines that distinguish training receipts from regular receipts.

IMPORTANT POINTS TO REMEMBER WHEN ACCEPTING A WYO W.E.S.T. CARD

How to know what food the WIC participant should receive:

All WIC foods that are issued to the WYO W.E.S.T. card for WIC participants are listed on the Beginning and Ending Balance receipts. Food categories and quantities issued are listed on these receipts. **No substitutions may be made.**

What to do if an item does not scan as WIC eligible:

The three most common reasons a food item will not scan as WIC authorized are:

- **The item is not currently a Wyoming WIC approved item.** Check WIC Food Shopping Guide or the APL.
- **The item is not approved for that particular WIC participant.** Check the beginning balance for the participant. A common occurrence of this situation is with formula, as participants are prescribed a specific formula (i.e., Similac Advance).
- **There is not sufficient balance on the participant's WYO W.E.S.T. card.** (i.e., the WIC participant attempts to purchase an 18 ounce box of cereal but only has a beginning balance of 16 ounces of cereal).
- **The item may not be flagged in the vendor's system as WIC eligible.** Vendor staff may need to go into their system's "Item Maintenance", and make sure that the WIC authorized items they sell (that are in the Wyoming WIC APL) are added and flagged as WIC eligible in their system.

What to do if the item still does not scan as WIC eligible:

If the above reasons do not apply, some other possibilities are:

- **UPC is not in the WIC database.** See "Requesting a UPC be added to the WIC UPC Database" section.
- **There is a problem with the WYO W.E.S.T. card.** If you suspect it is a WYO W.E.S.T. card problem, please have the WIC participant call their local WIC clinic or the 1-888-WYO-WEST number.

What to do if a WIC participant says they have forgotten their PIN:

The Wyoming WIC Program requires the WYO W.E.S.T. card to lock after a maximum of seven PIN attempts.

If a participant does not know their PIN or if they locked their WYO W.E.S.T. card, refer the participant to their local WIC office.

Approving/Canceling a WIC Transaction:

Vendors must allow Wyoming WIC Program participants to cancel/void or approve/accept their own EBT transactions. Cashiers should NOT do this for the participant. Cashiers must provide participants with the utilization receipt which should print when the cashier hits the key to tender WIC.

Card/PIN Confidentiality:

Vendors must keep all Wyoming WIC Program participant information confidential and at no time confiscate the participant's WYO W.E.S.T. card or ask for the PIN of the WYO W.E.S.T. card.

WYO W.E.S.T. Signs:

Vendors are required to place WYO W.E.S.T. signs provided by the Wyoming WIC Program in the front of the store. These signs may be requested from your local vendor monitor.

If a lane is down that would normally be able to conduct WIC transactions, a sign must be posted to indicate that the lane is temporarily down for WIC transactions.

The following pertains only to Stand-Beside/Non-Integrated Vendors:

WYO W.E.S.T. Lanes:

The vendor must place State provided signs in all lanes that accept WYO W.E.S.T. cards.

A least one lane that equips a WIC terminal needs to be open at all times. (i.e., neither the cashier nor the WIC customer should have to leave the lane where the transaction began.)

WIC BENEFITS - ISSUANCE TO REDEMPTION

ISSUANCE

1. WIC clinic issues WYO W.E.S.T. card to WIC participant.
2. WIC clinic authorizes food benefits for participant.
3. Benefits are issued to the participant's WYO W.E.S.T. card.
 - a. Three months of benefits are issued at a time.
 - b. Participants only have access to the current month benefits. Current month benefits will expire at midnight on the last day of the month.
4. Participants will need to keep their clinic receipts or go to any lane for a Benefit Balance Inquiry receipt to know what food benefits are available on their card. Participants can also keep their Ending Balance receipt that prints at the end of every WIC transaction and indicates what is remaining on their card.

TRANSACTION

5. Participant shops at an authorized WIC vendor.
6. Participant proceeds to a lane and informs cashier that they will be purchasing some/all foods with WIC.
 - a. Participants are not required to separate their WIC food items from other food items and do not need to pay for their WIC foods in a separate transaction.
 - b. When a participant inserts the WYO W.E.S.T. card into the PIN pad a beginning balance receipt will print for the participant. The cashier must give this receipt to the participant.
7. All items are scanned in the POS and then the cashier hits the key to tender WIC.
8. Cashier gives the WIC participant the utilization receipt to identify the foods that will be removed/deducted from the participant's card/benefits.
9. WIC Participant approves/accepts or cancels/voids the transaction.
 - a. If the participant approves the transaction, the food quantities are debited off the card
 - b. If participant cancels the transaction, the cashier can remove or add WIC foods to the transaction or may void the entire transaction.
10. Cashier completes transaction.
 - a. WIC is tendered first and food quantities are debited off the card based on the allotment of each category authorized for that participant. Any remaining foods need to be tendered with another form of payment for the transaction to be completed.
 - b. Cashier will give the participant the store receipt (showing all items that were purchased) and the Ending Balance receipt.

SUBMISSION FOR REDEMPTION

11. The vendor's system periodically performs a data exchange with the Wyoming WIC Program's FTP server for reimbursement for WIC transactions (at least once every 48 hours, but typically daily).

12. During the exchange, the following occurs:

- a. Claim File is submitted by the vendor's system. This includes the details of WIC transactions.
 - If the Claim File is accepted and processed, the Wyoming WIC Program creates an Auto Reconciliation File (ARF).
 - If the Claim File is not accepted and cannot be processed, an Error File will be created. The vendor will not be paid for the entire claim. The vendor will need to correct the error and resubmit the Claim File for payment.
 - A Claim File may be processed but there can be transaction and individual item related errors. This results in a reduction of payment reflected in the ARF.
- b. A current Hot Card List (HCL) and an Approved Product List (APL) are pulled into the vendor's system from the Wyoming WIC Program's FTP server.
 - HCL contains cards that have been invalidated for any reason, including loss, theft, or administrative action by the WIC clinic.
 - APL contains a listing of the WIC authorized products (UPCs/PLUs) approved by the Wyoming WIC Program.

RECONCILIATION

13. Once a day, the Wyoming WIC EBT settlement host initiates the payment process for each vendor. It uses the vendor's ARF to create an Automated Clearing House (ACH) credit for that day.
14. WIC State office staff retrieve the ACH payment file from the EBT settlement host and uploads the file to the bank for processing.
15. A drawdown request matching the sum of the ACH payment file is requested from the State Auditor's Office (SAO). The money is deposited into the Wyoming WIC Program's bank account used to pay the vendors who are listed in the ACH payment file.

CLAIM FILE SUBMISSION

Vendor management is required to ensure submission of Claim Files to the Wyoming WIC Program's Settlement System. Regular business practices should be established for submitting Claim Files to the Wyoming WIC Program, preferably within 24 hours of the transaction date. This submission of Claim Files **should not** occur between 11pm and 1am MST. Vendors are required to access the Wyoming WIC Program's settlement system within a continuous 48 hour period of time for the purpose of downloading the current HCL, Error File (if applicable) Auto-Reconciliation File (if applicable), and the APL. Failure to do so may result in financial liability of the vendor if a WIC WYO W.E.S.T. card that is on the hot card list is used to conduct a transaction or if a WIC participant is allowed to purchase a UPC/PLU that is no longer on the APL.

PAYMENT DISPUTES

Vendors will be paid for all valid WIC transactions conducted and electronically submitted to the Wyoming WIC Program. An authorized vendor may dispute a claim or transaction payment that has been reduced. There is no guarantee that dispute requests will be approved by the Wyoming WIC Program. Refer to the Auto Reconciliation Report to verify what will be paid. If what was submitted is different than what was paid, the report identifies any errors and indicates why a claim/transaction/item payment was reduced.

LATE SUBMISSION

A dispute for the reduction of a Claim File for late submission must be received within 90 days of notification of payment reduction. Notification of reduction is found in the electronic Auto Reconciliation File that vendors receive when claim processing notification is made. The vendor must provide an explanation of the event that prevented the timely submission of the Claim File and/or system change that caused the Claim File to be late. If the late claim submission was the result of a State rejected error file, the vendor must include this information in its written explanation specifying the original Claim File name that was reduced.

MALFORMED CLAIMS AND TRANSACTIONS

A dispute for the submission of a malformed claim must be received within 90 days of notification of payment reduction. A malformed transaction is defined as a transaction received by the Wyoming WIC Program that is incorrect or incomplete, either prior to or during insertion into the claim file. The vendor must provide an explanation of the event that caused the malformed submission of the claim file or individual transaction(s). If the vendor received an error file from the Wyoming WIC Program as a result of a malformed claim, the vendor must include this information in its written explanation specifying the original Claim File name that was rejected.

INVALID ELECTRONIC SIGNATURE

A dispute for the submission of an invalid electronic signature error must be received within 90 days of notification of payment reduction. Errors related to electronic signatures on individual transactions within a Claim File may be caused by many factors and may require considerable investigation and assessment by the vendor, ECR provider, and the Wyoming WIC Program. To dispute all or any part of a claim reduced because of invalid electronic signatures, a vendor must provide evidence that clearly demonstrates the transactions involved in the reduction were valid WIC transactions at the store. The vendor must provide evidence from the transaction log and/or electronic receipt copies that shows proof of the card being present in the lane, and WIC-eligible items being purchased and decremented from the card. The evidence must provide the PAN, date/time, lane number, UPCs purchased and category/subcategory information.

OTHER TRANSACTION ERRORS

A dispute for the submission of any other transaction errors must be received within 90 days of notification of payment reduction or the transaction date itself. These transaction errors may require considerable investigation and assessment by the vendor, ECR provider, and the Wyoming WIC Program. The vendor must provide evidence from the transaction log and/or electronic receipt copies that shows proof of the card being present in the lane and WIC-eligible items being purchased and decremented from the card. The evidence must provide the PAN, date/time, lane number, UPCs purchased and category/subcategory information.

Per 7CFR 246.12(k)(5), if the total value of transactions/claims disputed at one time exceeds \$500.00, the Wyoming WIC Program must obtain approval from the FNS Regional Office before executing payment.

If the vendor's dispute is denied, the vendor will receive written notification explaining the reason for the denial.

If there is a question/concern regarding a WIC transaction, please contact the WYO W.E.S.T. customer service number (located in the "Introduction" section of this manual).

PAYMENT APPEALS

If the vendor's dispute is denied and they wish to appeal the denial, the vendor must submit a written appeal to the Wyoming WIC Program at the following address:

Wyoming WIC Program
6101 Yellowstone Rd., Suite 420
Cheyenne, WY 82002
Or via email to: wdh-wyvicebt@wyo.gov

Per 7CFR 246.12(k)(5), if the total value of transactions/claims submitted for appeal at one time exceeds \$500.00, the Wyoming WIC Program must obtain approval of the FNS Regional Office before executing payment.

If a vendor fails to notify the Wyoming WIC Program in advance of hardware and/or software changes that results in a late or malformed claim/transaction submission, the vendor will have to appeal the claim or transaction(s) that has been reduced. There is no guarantee that the appeal will be approved.

WIC EBT PRICING AND PROMOTIONS

WIC vendors may sell WIC-approved food items with special item pricing and/or promotional discounts that are generally available to all store customers. In addition, manufacturers and other organizations may offer all store customers promotional discounts based on satisfying certain purchase criteria via manufacturer coupons, electronic marketing and/or other marketing programs. Integrated and non-integrated systems must ensure that the Wyoming WIC Program does not pay more for a redeemed product than a typical customer of the store in accordance with the Agreement established with the Wyoming WIC Program, including item pricing, manufacturer coupons, loyalty card, and promotional discounts. Failure to provide the same courtesies to WIC participants is a violation of Federal WIC Regulations.

WIC participants cannot be treated differently by offering them incentive items that are not offered to non-WIC customers.

Integrated and non-integrated systems must apply item pricing and/or promotional discounts to WIC CVB purchases in the same manner as they are applied to purchases of other prescribed WIC food purchases.

Vendor discounts included in this requirement are:

- Buy One, Get One Free (BOGO)
- Buy One, Get One at a Reduced Price
- Transaction Discounts (\$ or % off an entire transaction)
- Store Loyalty/Rewards Cards
- Manufacturer's Coupons

Note: For technical details on how to process WIC transactions with special item pricing and/or promotional discounts, refer to the rules set forth in the WIC EBT Operating Rules found at:

<http://www.fns.usda.gov/wic/ebt-guidance>.

VENDOR PEER GROUPS AND COMPETITIVE PRICING

The Wyoming WIC Program is mandated to establish a vendor peer group system and distinct competitive price criteria and allowable reimbursement levels for each peer group. The Wyoming WIC Program must use the competitive price criteria to evaluate the prices a vendor applicant charges for supplemental foods (as compared to the prices charged by other vendor applicants and authorized vendors) and must authorize vendors that offer the program the most competitive prices (7 CFR 246.12 (g)(4)).

Vendors will be assigned to Peer Groups based on criteria determined by the Wyoming WIC Program as listed below:

- Vendor Type
 - Chain Store – Peer Group 1
 - Commissaries – Peer Group 2
 - Super Store – Peer Group 3
 - One Store/One Owner – Peer Group 4
 - Multiple Stores/One Owner – Peer Group 5

If vendors are determined to be placed in the appropriate peer groups, redemption data will then be used to determine the maximum reimbursement levels/NTEs for competitive prices.

The Wyoming WIC Program may change a vendor's peer group whenever it determines that placement in an alternate peer group is warranted (7 CFR 246.12 (g)(4)(ii)(C)). The Wyoming WIC Program must establish procedures to ensure that a vendor selected for participation in the program does not, subsequent to selection, increase prices to levels that would make the vendor ineligible for authorization (7 CFR 246.12 (g)(4)(iii)).

A new vendor's peer group assignment will be evaluated within six months to ensure proper placement and competitive price levels. 7 CFR 246.12 (g)(4)(i)(B).

At authorization, the Wyoming WIC Program shall notify vendors in writing of this assessment.

VENDOR MONITORING

Under Federal Regulations, the Wyoming WIC Program is required to monitor all WIC authorized vendors.

Monitoring includes:

- Training vendor personnel at the request of vendor management, mandatory monitoring, or at the discretion of the vendor monitor. Vendors agree to be accountable for all actions of employees involved in WIC transactions/handling of WIC EBT benefits, and to properly train all employees.
- Monitoring visits with vendor management to discuss problems that may be happening, answer questions, and address any concerns.
- The vendor monitor will check stock of WIC authorized foods and following up on any previous problem.
- Review of quarterly reports including monthly WIC sales volume, problem transactions, and participant concerns regarding specific vendors.

- Education buys
 - Periodically, WIC personnel make a test buy in the grocery store to see if the cashiers are following the correct procedure for completing a WIC transaction or at the request of the vendor. These buys are done at random and when specific problems are suspected at a grocery store. These buys are an education tool to help the vendor.
- Compliance investigations
 - Federal Regulations require that all WIC Programs complete compliance or “undercover” buys on a percentage of high risk vendors in addition to a percentage of other vendors chosen at random. These buys are used to assure vendors are not abusing the Wyoming WIC Program. At no time before, during, or after the buy does the person completing the buy identify him/herself to vendor personnel or report the results of the buy.

Vendors are notified in writing if they are violating WIC policies and procedures. They will also be informed of recommendations for corrective action and their appeal rights.

REPORTING PARTICIPANT MISUSE

Vendors should contact their designated local vendor monitor with questions or to resolve problems. The local vendor monitor is the first point of contact and will work with individual vendors to provide training, monitoring, or participant follow-up when needed. Participants are entitled to the same service and courtesies as non-WIC customers.

Your cooperation in reporting attempted Wyoming WIC Program violations/fraud will be appreciated.

Participants sign a WIC Rights and Responsibilities Form that states:

DISQUALIFICATION/SUSPENSION/PROSECUTION/CASH RECOVERY MAY OCCUR FOR:

- a. Misuse of WIC benefits such as exchanging/selling, intending to sell, or give away the WYO W.E.S.T. card or food items purchased with WIC benefits verbally, in print, or online through websites such as Craigslist/Facebook/Twitter/eBay/etc. for cash, credit, or non-food items
- b. Purchasing/receiving and keeping more WIC foods than authorized or foods not on the WIC Food Shopping Guide
- c. Physical abuse, threat of physical abuse, or verbal abuse to WIC or grocery store staff
- d. Using a card reported as lost or stolen
- e. Receiving and redeeming WIC food benefits from more than one WIC office in the same month

If you wish to make a complaint about a participant who is rude or you suspect is misusing the Wyoming WIC Program, complete the Vendor Comment Form (found in the Appendix) or call your local WIC agency. All reports of abuse and/or complaints should be made within three days after the incident. Be as specific as possible, making sure to record the names (if known), PAN number (last 4 digits of the WYO W.E.S.T. card), and the details of the incident (time, date, physical description, words exchanged, names of staff who witnessed the incident, etc.). The complaint will be discussed with the participant and appropriate actions/sanctions taken. Copies of all store transaction receipts are helpful.

VENDOR AUTHORIZATION INFORMATION

For participation in the Wyoming WIC program, a vendor applicant must demonstrate its capability to accept WIC benefits electronically prior to authorization and comply with WIC EBT operating rules, standards and technical requirements. If a vendor is necessary for participant access and cannot accept WIC benefits electronically, the Wyoming WIC Program may provide the vendor with a stand beside Point of Sale system. The Wyoming WIC Program shall not pay ongoing maintenance or operational costs for vendor systems and equipment used to support WIC EBT, unless the vendor is needed for participant access. The rate of reimbursement to the vendor for WIC EBT ECR maintenance is determined by the Wyoming WIC Program (Request for Maintenance Reimbursement Form is listed in the Appendix).

Vendor applicants must complete all necessary authorization paperwork, including the WIC “Vendor Agreement” (found in the Appendix).

Vendors will be notified within 30 days after submission of their Application for Vendor Authorization (found in the Appendix) whether or not it is approved. Approved vendors must agree to an on-site visit by the local vendor monitor to verify information provided in their Application is accurate. New vendor applications will be accepted on an ongoing basis and evaluated at that time. The Wyoming WIC Program requires vendors to provide an email address on their Application as email is the primary form of communication by the Wyoming WIC Program.

The Vendor Agreement is between the Wyoming WIC Program and the vendor. For chain stores, the Agreement is not with the chain’s regional or corporate office, it is with the individual vendor. Vendor Agreements are valid for up to three years, as specified by the Agreement. Current WIC vendors will be notified prior to the expiration of the current Agreement and will be visited by the local vendor monitor for Agreement renewal.

Clarifications, changes, and/or additions to the Wyoming WIC Program’s Policies and Procedures may be made throughout the Agreement period. These changes will be transmitted electronically to vendors through email. Vendors will be notified thirty days prior to the implementation of the new policy/procedure.

Some points of particular importance as a WIC authorized vendor:

1. Allow WIC participants to purchase only WIC approved foods with their WYO W.E.S.T. cards.
2. Accept training and monitoring of vendor personnel by WIC staff.
3. Allow the participant/parent/caretaker/proxy to purchase only those WIC approved foods listed on the participant’s benefit balance receipt and the Wyoming WIC Authorized Product List. Provide only the approved foods in authorized quantities and sizes specified. The participant/parent/caretaker/proxy does not have to purchase all the foods listed on the benefit balance receipt but may not purchase more than what is listed.
4. Give the same courtesies and discounts to WIC participants/parents/caretakers/proxies that are given to other customers (7 CFR 246.12(h)(3)(iii)). This includes all store promotions, (i.e., “Buy-One-Get-One-Free”, “Two-for-One”, and Discount/Club Cards). Any vendor who knowingly refuses to provide a promotion or discount to a WIC customer shall be in violation of the Agreement and may be sanctioned for discrimination.
5. Ensure that all cashiers are trained in proper acceptance and processing of the WYO W.E.S.T. card.
6. Must not conduct WIC transactions in a separate liquor portion of the store or in self-checkout lines.

7. Provide necessary receipts for the WIC participant to accept/approve or reject the WIC transaction. Vendor personnel shall NOT accept/approve or reject/cancel the WIC transaction for the WIC participant.
8. Release food benefits to the WIC participant any time the WYO W.E.S.T. card is decremented when the system fails to build a claim file or include the transaction in the claim file.
9. Scan or manually enter UPC/PLU codes only for WIC authorized items being redeemed. Never scan codes from UPC/PLU codebooks, reference sheets or from any product not actually purchased with the WYO W.E.S.T. card.
10. Adhere to the International Federation for Produce Standards (IFPS) for product look-up codes (PLU) for the purposes of WIC EBT claim submission. Any fruit or vegetable must use an IFPS PLU or if it is a UPC or local/store PLU it must be mapped to an IFPS.
11. Not use, reproduce or apply any stickers, tags, channel strips, shelf-talkers, labels or signage that have the WIC acronym or logo on WIC-approved products except those provided or approved by the Wyoming WIC Program. Not use any aspect of the WIC acronym or logo, or close facsimiles in the name of the vendor, vendor advertising, promotional material, or incentives.
12. Not treat WIC participants differently by offering them incentive items that are not offered to non-WIC customers. This is a violation of Federal WIC regulations, thereby constituting a vendor violation.

POTENTIAL ABOVE 50% STORES

SNAP eligible food sales are required by the Wyoming WIC Program if a vendor is identified by USDA/FNS as being a Potential 50% Store. SNAP eligible food sales are used to determine whether or not a vendor actually has more than 50% of its food sales from WIC transactions. If it is determined that the vendor does or will receive more than 50% of its food sales from WIC transactions, the Wyoming WIC Program will not authorize the vendor and will terminate the Agreement of an existing vendor.

The Wyoming Vendor Sales/Use Tax Return Form may be provided to the Wyoming WIC Program as documentation of SNAP eligible Food Sales (for 12 consecutive months).

SELECTION CRITERIA USED TO AUTHORIZE A VENDOR

Vendors may be assessed or re-assessed any time during the agreement period using the following vendor selection criteria. Vendors will be terminated if they fail to meet the following criteria:

1. Clearly mark shelf prices on all WIC items.
2. Be competitively priced within their assigned peer group. A vendor that is needed to ensure participant access to supplemental foods may be exempt to the competitive pricing criteria.
3. Demonstrate minimum stocking and inventory of WIC authorized foods as listed in this Vendor Manual.
4. No involvement in any activity that would indicate a lack of business integrity:
 - a. No history, during the last six years by the vendor applicant or any of the vendor applicant's current owners, officers, or managers of having been convicted of or had a civil judgment entered against them for any activity, indicating a lack of business integrity. Activities indicating a lack of business integrity include fraud, antitrust violations, embezzlement, stolen property, making false claims, and obstruction of justice.

- b. The Wyoming WIC Program may rely solely on facts already known to it and representations made by the vendor applicant on its Application. The Wyoming WIC Program may add other types of convictions or civil judgments to this list.
 - c. No history of WIC sanctions or disqualifications, and has not been sold to circumvent a WIC sanction.
 - d. Must not have had their Vendor Agreement terminated for cause by the Wyoming WIC Program within the last 90 days.
 - e. Has been disqualified from SNAP or assessed a civil money penalty for hardship.
5. Purchase infant formula from licensed wholesalers, distributors, and/or manufacturers licensed with the Food and Drug Administration. The Wyoming WIC Program requires that a purchase invoice is provided at (re)authorization and routine monitoring.
- a. A formula invoice will be required within 90 days for a new vendor.
6. Be a full service grocery store and must stock and provide a variety of foods in each of the following staple food groups on a continual basis:
- a. ten pounds of fresh meat (beef/pork)
 - b. ten pounds of fresh poultry or fish
 - c. bread and cereal
 - d. fresh fruits and vegetables
 - e. dairy (milk, eggs, and cheese)
 - f. infant foods (single fruits/vegetables and meats)
7. At least fifty percent of total edible food sales must be from non-WIC transactions.
8. Must be a location necessary to ensure adequate participant access if a new vendor (excluding ownership and store location changes).
9. Authorized vendors must have averaged more than \$100.00 per month over the previous 6 months of operation and average 10 or more participants purchasing WIC benefits at this store. (Pharmacies are exempt from this criteria).
10. Compliance with previous Vendor Agreement.
11. Must be authorized by SNAP and must provide the SNAP authorization number.
12. Open for business at least eight hours daily, six days a week.
13. Other:
- a. Must have a policy in place to prevent a conflict of interest between the Wyoming WIC Program and the vendor.
 - i. The Wyoming WIC Program shall terminate the Vendor Agreement if it identifies a conflict of interest between the vendor and the Wyoming WIC Program or its local agencies.
 - b. Demonstrate safe and sanitary conditions and does not sell WIC items that have been dented or damaged in any way, previously opened, marked or stamped with another store name, out-of-date or altered (case lot numbers, expiration dates, or marked through UPC codes).
 - c. Must agree not to provide promotion and/or incentives using federal WIC Program funds.
 - d. Must agree not to treat WIC participants differently by offering them incentive items that are not offered to non-WIC customers.

- e. If a new vendor, it must be needed by WIC participants (10 or more participant household's use or plan to use the new store to purchase their WIC benefits).
- f. The applying vendor cannot be a:
 - i. Farmer
 - ii. WIC Only Store
 - iii. Convenience Store
 - iv. Store located outside of Wyoming
 - v. Pharmacy (unless there are no pharmacies in a grocery store or in the area)
 - vi. Mobile or food delivery service

VENDOR VIOLATIONS AND SANCTIONS

Failure to read and understand the violations below, does not excuse the vendor from WIC Program sanctions or penalties. Vendors are responsible for the acts or omissions of their employees transacting WIC-related business.

The following are mandatory vendor sanctions. (If the Wyoming WIC Program finds that a vendor has committed a violation that requires a pattern of occurrences in order to impose a penalty of sanction, the Wyoming WIC Program will notify the vendor of the initial violation in writing, prior to documentation of another violation, unless the Wyoming WIC Program determines, in its discretion, on a case-by-case basis, that notifying the vendor would compromise an investigation.)

1. **Permanent Disqualification:**

- a. Vendors **convicted** in court for the crime of trafficking in food instruments (WYO W.E.S.T. card benefits), or selling firearms, ammunition, explosives, or controlled substances (as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802) in exchange for WIC food instruments (WYO W.E.S.T. card benefits) shall be permanently disqualified, effective on the date of the receipt of the notice of disqualification. Convicted vendors shall not be entitled to receive any compensation for revenues lost as a result of such violation or as a result of a disqualification which is later overturned;
- b. Permanent disqualification from SNAP.

2. **Six (6) Year Disqualification:**

The Wyoming WIC Program shall disqualify a vendor for six (6) years for:

- a. One (1) incidence of buying or selling food instruments (WYO W.E.S.T. cards) for cash (trafficking);
- b. One (1) incidence of selling firearms, ammunition, explosives, or controlled substances as defined in 21 U.S.C. 802, in exchange for WIC food instruments (WYO W.E.S.T. card benefits) as discovered by WIC investigation.

3. **Three (3) Year Disqualification:**

The Wyoming WIC Program shall disqualify a vendor for three (3) years for the following:

- a. One (1) incidence of the sale of alcohol or alcoholic beverages or tobacco products in exchange for food instruments (WYO W.E.S.T. card benefits);

- b. A pattern of claiming reimbursement for the sale of an amount of a specific supplemental food item which exceeds the vendor's documented inventory of that supplemental food item for a specific period of time;
- c. A pattern of charging participants/parents/caretakers/proxies more for supplemental food than non-WIC customers or charging participants/parents/caretakers/proxies more than the current shelf or contract price;
- d. A pattern of receiving, transacting and/or redeeming food instruments (WYO W.E.S.T. card benefits) outside of authorized channels, including the use of an unauthorized vendor and/or an unauthorized person;
- e. A pattern of charging for supplemental food not received by the participant/parent/caretaker/proxy;
- f. A pattern of providing credit or non-food items, other than alcohol, alcoholic beverages, tobacco products, cash, firearms, ammunition, explosives, or controlled substances as defined in 21 U.S.C. 802, in exchange for food instruments (WYO W.E.S.T. card benefits).

4. One (1) Year Disqualification:

- 5. The Wyoming WIC Program shall disqualify a vendor for one (1) year for a pattern of providing unauthorized food items in exchange for food instruments (WYO W.E.S.T. card benefits), including charging for supplemental food provided in excess of those listed on the food instrument (EBT receipt).

6. Second Mandatory Sanction:

- 7. A vendor who has been previously assessed a mandatory sanction for any of the mandatory sanctions listed above (numbers 1-4) shall have the second sanction doubled. Civil Money Penalty (CMP) may only be doubled up to the limits allowed, as defined by the Vendor Agreement.

8. Third or Subsequent Mandatory Sanction:

- 9. Vendors assessed a third mandatory sanction shall receive a double sanction with no CMP option.
- 10. A WIC disqualification based on a SNAP disqualification shall be for the same length of time and may begin at a later date and is not subject to administrative or judicial review under the Wyoming WIC Program. 7 CFR 246.12(l)(1)(vii).
- 11. The Wyoming WIC Program shall not accept from any vendor voluntary withdrawal or non-renewal as an alternative to imposing mandatory sanctions or disqualification. 7 CFR 246.12(l)(1)(viii).
- 12. The Wyoming WIC Program shall disqualify the vendor based on the mandatory sanctions with the following exceptions:
 - a. Cases of inadequate participant/parent/caretaker/proxy access in which case a CMP would be assessed;
 - b. The vendor had, at the time of the violation, an effective policy and training program in effect to prevent trafficking; and the ownership of the vendor was not aware of, did not approve of, and was not involved in the conduct of the violation. (This exception is only an option for the trafficking conviction.) Any documented policies must have been dated in written form and the training documented prior to the violation in which case a CMP would be assessed. The Wyoming WIC Program shall not give a CMP for a third or subsequent mandatory sanction. 7 CFR 246.12(l)(1)(i).

WYOMING WIC PROGRAM ESTABLISHED STATE VIOLATIONS AND SANCTIONS

- 1. The Wyoming WIC Program shall disqualify a vendor for multiple violations subject to Wyoming WIC Program sanctions during a single investigation, based on the most serious violation. All violations shall

be included in the notice of administrative action. If a mandatory sanction is not upheld, the Wyoming WIC Program may impose a Wyoming WIC Program established sanction. 7 CFR 246.12(l)(1)(xii).

2. The following Wyoming WIC Program established sanctions may be added within an investigation or doubled, provided the total disqualification period does not exceed one (1) year per investigation or CMPs do not exceed the maximum amount of \$11,000 for each violation. The CMP calculation and collection will be the same for both mandatory and state disqualifications. The total amount of CMPs imposed for violations investigated, as part of a single investigation, shall not exceed \$49,000. If a vendor fails to comply with the terms of a CMP, the vendor shall be disqualified for the length of time corresponding to the sanction. The Wyoming WIC Program sanction may not be added to a mandatory sanction within the same investigation. However, a Wyoming WIC Program sanction may be imposed from the same investigation in situations where the mandatory sanctions are not upheld on appeal. The Wyoming WIC Program sanctions do not count toward the provisions of the mandatory sanctions for two (2) or more sanctions. 7 CFR 246.12(l)(2)(i).

3. All Wyoming WIC authorized vendors shall be assessed, on an on-going basis, for possible Wyoming WIC Program established violations and sanctions. All points are cumulative and will be kept current for a period of one (1) year as long as the vendor is authorized on the program. Points accrued for each violation will be erased one year after the date of the violation regardless of a renewal of a Vendor Agreement.

4. The following are the state established vendor violations and sanction points to be assessed to the vendor. (If the Wyoming WIC Program finds that a vendor has committed a violation that requires a pattern of occurrences in order to impose a penalty of sanction, the Wyoming WIC Program will notify the vendor of the initial violation in writing, prior to documentation of another violation, unless the Wyoming WIC Program determines, in its discretion, on a case-by-case basis, that notifying the vendor would compromise an investigation):

	Violation	Sanction Points
a.	Discrimination against a WIC participant (including filing a complaint with the Office of Adjudication and Compliance) and/or failure to serve a WIC participant without a judicial or legal basis	10
b.	Providing infant formula that was not purchased from approved wholesalers, distributors and/or retailers licensed in the State in accordance with state law or through infant formula manufacturers registered with the Food and Drug Administration that provide infant formula	10
c.	Knowingly entering false information or altering information on the WIC EBT receipt/benefits	8
d.	Requiring cash to be paid in whole or part to redeem food instruments or cash-value vouchers or contacting WIC participants/parents/caretakers/proxies to correct discrepancies as a result of non-payment or in an attempt to recover funds for EBT receipts not paid by the Wyoming WIC Program or those EBT receipts where refunds were requested for overcharge	8
e.	Failure to attend mandatory training sessions after one (1) mutual opportunity to reschedule	6
f.	Failure to provide purchase invoices from the wholesaler/distributors, and/or other points of purchase, and/or inventory records, and/or documentation of sales data during monitoring visits or when requested to do so by the Wyoming WIC Program	6
g.	Failure to maintain adequate inventory of WIC foods in accordance with the Vendor Manual, identified during three (3) compliance purchases or per finding during any monitoring or any vendor on-site visits, after being given one opportunity to correct the inadequacy	6
h.	Failure to provide training to all employees who handle WIC transactions or failure to allow monitoring or training of the vendor by WIC representatives	6

	Violation	Sanction Points
i.	Taking the WYO W.E.S.T. card from the WIC participant/parent/caretaker/proxy, asking the WIC participant/parent/caretaker/proxy for their Personal Identification Number (PIN) or other suspicious actions, which would be seen as attempts to fraud the Wyoming WIC Program	6
j.	Discourteous treatment of a WIC participant/parent/caretaker/proxy as substantiated by three (3) or more complaints regarding three (3) separate instances	4
k.	Failure to take corrective action to get a WIC system back up when it is inoperable	4
l.	Failure to allow WIC participants to leave the store with WIC foods that were debited/removed from their WYO W.E.S.T. card during a WIC transaction	4
m.	Allowing a WIC transaction in a self-checkout lane	2
n.	Stocking or selling out-of-date WIC food commodities to WIC participants. This will include any WIC product that has a specific expiration date, "Sell by", "Best if used by", "Use by", or similar wording with a date printed on the container	2
o.	Using the WIC acronym or logo, or close facsimiles in the name of the vendor, for any advertising, promotional material, and incentives. Using unapproved tags/channel strips or labels with the WIC acronym or logo, or close facsimiles on WIC-approved products	2
p.	Providing incentive or promotions inconsistent with the provisions in the Wyoming WIC Vendor Agreement	2
q.	Failure to comply with any other of the vendor responsibilities noted in this Agreement	2
r.	Failure to post a WYO W.E.S.T. sign at the front of the store, or failure to post WYO W.E.S.T. signs in each cash register lane that has a working WIC terminal if the vendor is not integrated	2
s.	Prices not clearly marked on food item or shelf	2
t.	Produce not mapped and not scanning as WIC eligible	1
u.	Failure to provide all store ECR system participant receipts (refer to Vendor Manual) to WIC participants during each WIC transaction. For non-integrated vendors, WIC receipts will need to be printed in addition to the store ECR receipt	1

Any combined total of points:

The vendor will be notified in writing regarding any points assessed and the type of violation(s) found.

16 to 20 points:	Termination of Vendor Agreement and six (6) month disqualification
15 points:	Three (3) month suspension
5 to 14 points:	Mandatory training and the Wyoming WIC Program shall determine the corrective action plan, with input from the local vendor monitor. As applicable, plans shall include but not be limited to, training of all cashiers and management
1 to 4 points:	Warning letter from the Wyoming WIC Program stating violation and including follow-up plan and date to correct the violation

CIVIL MONEY PENALTIES IN LIEU OF DISQUALIFICATION

1. The Wyoming WIC Program may impose a Civil Money Penalty (CMP) in lieu of a permanent disqualification when it determines, in its sole discretion and documents that:

- a. Such action would result in inadequate participant access.
 - b. The vendor had, at the time of the violation, an effective policy and training program in effect to prevent trafficking and the ownership of the vendor was not aware of, did not approve of, and was not involved in the conduct of the violation. Any documented policies must have been dated in written form and the training documented prior to the violation.
2. The Wyoming WIC Program may impose a CMP in lieu of a six month to one year mandatory disqualification when it determines, in its sole discretion and documents that such action would result in inadequate participant access.
3. If the Wyoming WIC Program permits a vendor to continue to participate in the program in lieu of permanent disqualification, the Wyoming WIC Program shall assess the vendor a CMP in an amount determined by the Wyoming WIC Program and in accordance with the following criteria:
 - a. The amount of civil penalty shall not exceed \$11,000 for each violation.
 - b. The amount of civil penalties imposed for violations investigated as part of a single investigation may not exceed \$49,000.
 - c. If more than one violation is detected during a single investigation, a CMP must be imposed for each violation (up to the \$11,000/\$49,000 limits).
 - d. If a vendor does not pay, only partially pays, or fails to timely pay (includes failure to pay with an installment plan) a CMP within 30 days of receipt of a notification letter, the Wyoming WIC Program will disqualify the vendor for the length of the disqualification corresponding to the violation for which the CMP was assessed.
4. The Wyoming WIC Program may allow an installment plan to be utilized for the payment of civil money penalties provided that the installment plan is in compliance with Federal and State laws concerning the collection of interest on such debts.

WIC/SNAP DISQUALIFICATION

- Vendors disqualified or assessed a CMP by the Wyoming WIC Program may be disqualified from SNAP for an equal period to time. SNAP disqualification, as a result of disqualification from the Wyoming WIC Program, is not subject to administrative or judicial review in SNAP.
- Vendors disqualified from SNAP or any other WIC Program for a federally-mandated sanction will be disqualified from the Wyoming WIC Program.
- The reciprocal Wyoming WIC Program disqualification will be for the same length of time as the SNAP disqualification. However, the period of disqualification may begin at the same time or a later date than the SNAP/WIC disqualification.
- Prior to disqualifying a vendor for a SNAP disqualification, the Wyoming WIC Program will determine if disqualification of the vendor would result in inadequate participant access. If the Wyoming WIC Program determines that disqualification of the vendor would result in inadequate participant access, the Wyoming WIC Program will impose a CMP in lieu of disqualification. The Wyoming WIC Program cannot impose a CMP in lieu of disqualification for a third or subsequent sanctions.
- Reciprocal disqualifications are not subject to Administrative Appeal in the Wyoming WIC Program.
- Vendors assessed a CMP by SNAP in lieu of a disqualification; due to participant hardship may also be disqualified from the Wyoming WIC Program. Vendors disqualified from the Wyoming WIC Program as a result of SNAP CMP may file an Administrative Appeal with the Wyoming WIC Program.

- If the disqualification period extends beyond the expiration date of the Vendor Agreement, the re-authorization period will be delayed to allow for the completion of the disqualification period.

APPEALS/REVIEWS

1. The firm/individual/vendor has the right to appeal a Wyoming WIC Program decision within 30 days of notification pertaining to denial of application to participate, suspension, disqualification, or any other adverse action which affects participation during the contract or agreement performance period. 7 CFR 246.18(a)(1)(i)(ii).
2. Administrative review is not available for any of the following:
 - a. The validity or appropriateness of the Wyoming WIC Program's vendor selection criteria for minimum variety and quantity of supplemental foods, business integrity or current SNAP disqualification or CMP for hardship. 7 CFR 246.12(g)(3);
 - b. The validity or appropriateness of the Wyoming WIC Program's vendor peer group criteria and the criteria used to identify vendors that are above fifty percent (50%) vendors or comparable to above fifty percent (50%) vendors;
 - c. The validity or appropriateness of the Wyoming WIC Program's participant access criteria and the Wyoming WIC Program's participant access determinations;
 - d. The Wyoming WIC Program's determination whether a vendor had an effective policy and program in effect to prevent trafficking and that the ownership of the vendor was not aware of, did not approve of, and was not involved in the conduct of the violation. 7 CFR 246.12(l)(1)(i)(B);
 - e. Denial of authorization if the Wyoming WIC Program's vendor authorization is subject to the procurement procedures applicable to the Wyoming WIC Program;
 - f. The expiration of a Vendor Agreement;
 - g. Disputes regarding EBT receipt payments and vendor claims (other than the opportunity to justify or correct a vendor claim);
 - h. Disqualification of a vendor as a result of disqualification from the SNAP. 7 CFR 246.12(l)(1)(vii);
 - i. The Wyoming WIC Program's determination whether to notify a vendor when an investigation reveals an initial violation for which a pattern of violations must be established in order to impose a sanction;
 - j. The Wyoming WIC Program's determination to include or exclude an infant formula manufacturer, wholesaler, distributor or retailer from the Wyoming WIC Program's list.

ADMINISTRATIVE APPEAL PROCEDURE

If a vendor is dissatisfied with any decision made regarding the eligibility of a grocery store to participate in the Wyoming WIC Program, the following procedure must be followed:

1. Written notification of the adverse action, the procedures to follow to obtain a full administrative review and the cause(s) for and the effective date of the action must be provided to the vendor.
2. The vendor may present a written request to the local vendor monitor, the State Vendor Coordinator, or the State WIC Program Manager for the opportunity to appeal the adverse action and to have the case reviewed within 30 days.

3. The vendor or his/her designated representative will be contacted within three days after the written request is received. At that time, a date and location will be set for the administrative review/hearing. The hearing will be held within 21 days. The vendor will be notified of the hearing at least 10 days before the hearing.
4. If the vendor or his/her representative cannot appear at the scheduled time and place, he/she will have one opportunity to reschedule and ask the hearing officer to change it.
5. If the vendor or his/her representative does not appear for the hearing or if the vendor requests the hearing to be cancelled, it will be cancelled.
6. The vendor or his/her representative will be given the opportunity to confront and cross-examine adverse witnesses.
7. The vendor or his/her representative will be given the opportunity to be represented by counsel.
8. The vendor or his/her representative will be given the opportunity to examine prior to the review the evidence upon which the Wyoming WIC Program's action is based.
9. The State Vendor Coordinator, State WIC Program Manager, or legal counsel (State Attorney General or General Counsel's office) may present the Wyoming WIC Program case during an administrative review.
10. An impartial decision-maker (Fair Hearing Officer) will oversee the hearing and their determination must be based solely on whether the Wyoming WIC Program has correctly applied Federal and State statutes, regulations, policies and procedures governing the Program, according to the evidence presented at the review.
11. The Fair hearing officer will either be the Public Health Administrator or a representative from the WDH Director's Office.
12. Written notification of the review decision, including the basis for the decision, must be provided within 90 days from the date of receipt of a vendor's request for an administrative review.
13. The Wyoming WIC Program and the vendor must follow the decision(s) made at the hearing.
14. Appealing an action does not relieve vendors of their responsibility for compliance.
15. The review decision(s) rendered under both the review procedures are the final Wyoming WIC Program action. If the adverse action under review has not already taken effect, the Wyoming WIC program must make the action effective on the date of receipt of the review decision by the vendor.
16. If the vendor does not agree with the decision made at the State hearing, the vendor may pursue judicial review.

APPENDIX

Application for Vendor Authorization.....	1
Product Waiver	2
Request for Maintenance Reimbursement	3
Shelf Tag	4
UPC Addition/Change Request Form.....	5
Vendor Agreement.....	6
Vendor Comment Form.....	7
WIC Authorized Standard PLU Listing for Mapping Produce	8
WYO W.E.S.T. Window Cling.....	9