

Maryland **WIC**

Better Nutrition Brighter Future

AUTHORIZED
VENDOR
MANUAL



Effective October 2018

This Manual specifies the policies and procedures for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) for authorized vendors to redeem WIC food benefits and provide foods to WIC participants.

In this Manual, the following documents are incorporated by reference:

42 United States Code (U.S.C.) §1786, as amended

7 Code of Federal Regulations (CFR) 15-15b and 246, as amended

If the provisions of this Manual conflict with federal statutes and regulations, the federal statutes and regulations prevail.

For more information, see the Code of Maryland Regulations (COMAR) at www.dsd.state.md.us/comar.

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Foreword

For over 45 years, the Special Supplemental Nutrition Program for Women Infants and Children (WIC) has been an integral part of Maryland's public health system. Proper nutrition at the beginning of life helps prevent many serious health problems that can last a lifetime. WIC gives children a chance to grow up healthy. Healthy children do better in school and lead active productive lives.

You, as an authorized WIC vendor, are part of an important effort to improve the health of Maryland citizens in your community. This Manual serves as a guide to help authorized vendors follow correct Program policies and procedures to serve WIC participants.

The Authorized Vendor Manual provides an overview of the WIC program and those we serve. It is important to understand and follow the authorization requirements in order for a vendor to retain authorization. If the requirements are not upheld, vendor authorization shall be terminated.

This Manual contains the Maryland WIC Program rules and regulations, which are compiled in the Code of Maryland Regulations (COMAR). COMAR is the official and enforceable law. For complete and up-to-date information, see www.dsd.state.md.us/comar and search codification number 10.54.03.

More information on becoming an authorized WIC vendor can be found under the vendor section of our website: www.mdwic.org.



Overview | What is WIC?



The Maryland WIC Program is a supplemental nutrition program for women, infants, and children that provides extra food, tips on healthy eating, breastfeeding help, and referrals for other services.

Who can get WIC?

Women

- Pregnant and up to 6 weeks after pregnancy;
- Postpartum women up to 6 months after baby's birth;
- Breastfeeding moms up to baby's first birthday.

Infants

- Up to their first birthday.

Children

- Up to their fifth birthday.

Who can apply for WIC?

- They can have a job or not.
- They can be married, single or live with parents.
- Fathers, mothers, grandparents or guardians can apply for children under age 5.

Where can they live and how much money or income can they make to get WIC?

- They must live in the state of Maryland to be in the Maryland WIC Program.
- They can only make up to a certain amount of money or income.

How can they find out if they can get WIC?

The best way is for them to call and make an appointment at a local WIC clinic.

Can they get WIC if they are in another program?

Some people are able to get WIC because they are in other programs like:

- Foster Care;
- Medical Assistance;
- SNAP or Food Stamps;
- TCA (Temporary Cash Assistance).

If they are in one of these programs, they should call their local WIC clinic to find out if they can get WIC.

WIC helps women, infants and children eat better to have a healthier future.

Women

- Get prenatal care earlier
- Eat better while pregnant and right after having baby
- Gain the right amount of weight while pregnant
- Carry baby to full term

Infants

- Grow better
- Are born the right size
- Fewer infant deaths

Children

- Eat better
- Grow better
- Are ready to start school
- Get shots on time
- Have good blood levels of iron



WIC is more than food. WIC gives tips on shopping, cooking, eating well and connects participants with other health and wellness services. WIC is for a healthier Maryland.

WIC Authorized Foods

WIC customers may only purchase the foods specified in their benefit balance in the varieties and sizes authorized by the Maryland WIC Program. The WIC Authorized Foods List is the resource for identifying approved brands and varieties. Your store will always receive notification when there have been changes to the WIC Authorized Foods List. WIC customers should have a list with them when they shop. However, in the event they do not, stores should keep a supply handy for both the customers and store employees. Copies of the WIC Authorized Foods List may be obtained by contacting the WIC Program Vendor Unit.



The most recent Authorized Foods List can be found under the vendor section of our website: www.mdwic.org.

Approved Product List (APL)

The Maryland WIC Approved Product List, also called the APL, is a database that contains Universal Product Codes (UPCs), and Price Lookup Codes (PLUs), of all Maryland WIC approved foods. A WIC transaction cannot be completed unless the UPC or PLU of the item being purchased is in the APL. The APL is maintained by Maryland WIC staff.

Maryland’s current APL contains thousands of UPCs and PLUs. The APL will always be a work in progress because manufacturers add or remove UPCs every day. New products come onto the market and package sizes change – which often creates a new UPC. We need the help of vendors to make sure the APL is as complete and up-to-date as possible.

If an item doesn’t scan, but you believe it should be WIC approved, let someone in your store management office know. Fruits and vegetables are seasonal items and are hard to keep up-to-date in the APL. Your corporate IT staff can often correct problems with fruits and vegetables not scanning as WIC approved by properly mapping them to the appropriate codes.

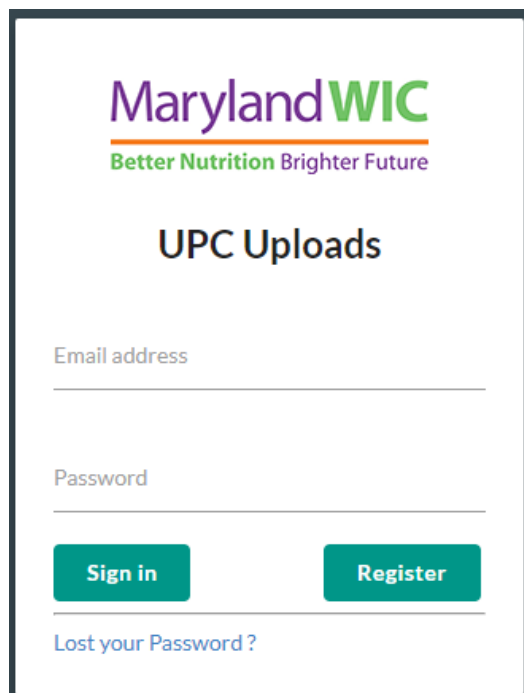
The easiest way to submit a UPC for consideration is electronically. Instructions on submitting a UPC can be found at www.mdwic.org under the eWIC section.

Submitting products to the WIC Approved Products List (APL)

To submit products not currently on the APL that you think maybe WIC approved, please complete one of the followings:

- [Submit on-line](#)
- [Submit a manual form](#)

Simply register for an account and enter all the information requested.



The screenshot shows a web form titled "UPC Uploads" under the "Maryland WIC" logo with the tagline "Better Nutrition Brighter Future". The form includes an "Email address" input field, a "Password" input field, and two buttons: "Sign in" and "Register". Below the buttons is a link for "Lost your Password?".

Approved Product List (APL) - continued





You may also fill out a paper form. If you click on “Submit a Manual Form,” the following form will pop-up. Fill it out, print it and email to wic.foodslist@maryland.gov or fax it to 410-333-5683.

Submitting products to the WIC Approved Products List (APL)

To submit products not currently on the APL that you think maybe WIC approved, please complete one of the followings:

- [Submit on-line](#)
- [Submit a manual form](#)



Maryland WIC Program UPC Submission Form		 <small>Better Nutrition Brighter Future</small>
Instructions: <ul style="list-style-type: none"> • Complete this form with required UPC Code* and as much information as possible. • Email the completed form to wic.foodslist@maryland.gov, or • Fax form to 410-333-5683 or • Mail form to Maryland WIC Program, Attn: WIC APL, 201 W. Preston Street, 1st Floor, Baltimore, MD 21201. • This form can also be completed and submitted electronically at mdwic.org under the eWIC tab. 		
Contact Information		
Name	Phone Number	
Email		
eWIC card number (if applicable)	6103 850 _____	
Vendor ID Number (if applicable)		
Store Name and Address		
Product Information		
Product Brand/Manufacturer Name		
Product Name & Description		
Picture of item/label attached? <input type="checkbox"/> Yes <input type="checkbox"/> No		
UPC Code* (8, 12, or 13 digits) _____		
Fill in the number exactly as it appears on the product label and include all numbers. *Numbers at the beginning and end of the barcode must be included, see arrows below.		
GTIN-8 (EAN/UCC-8) 	GTIN-12 (UPC-A) 	GTIN-13 (EAN/UCC-13) 
Package Size/Unit of Measure (e.g., 16 ounces)		
For State WIC Use Only		
Date Received	Date Reviewed	
Reviewed By		
<input type="checkbox"/> Approved	Category	Subcategory
Date UPC Entered	Entered By	<input type="checkbox"/> Verified in SOAR
<input type="checkbox"/> Denied (Reason for Denial)		

A nutritionist reviews the items submitted and determines if the item should be WIC approved. Approved items are then added to the APL. Newly approved UPCs may take up to 72 hours from the date of approval until downloaded to the store’s APL file and available for purchase.

The eWIC Card

Maryland WIC uses an electronic benefits issuance system, called eWIC to issue benefits to participants. Benefits are assigned to participants and loaded into a family benefit account. The eWIC card is used in authorized stores to access the account and obtain the supplemental foods issued by the Maryland WIC Program.

The front of the card displays the card number. Unlike other EBT or credit cards, the participant's name is not printed on the card. Participants are not required to sign their eWIC card.

If a participant's card won't scan, you may hand key the number only if the card is present.



Participant eWIC Phone App

The Maryland WIC Program has also developed a Maryland WIC app that you may see participants using as they shop for their WIC benefits. The app can be downloaded from the Google Play store or Apple store and is available in English and Spanish. The app also lets them know what their current balance is and allows participants to scan items as they shop to check if the item is WIC approved and in their benefit balance.



Minimum Required Stock

The Minimum Required Stock is defined as the specific types, sizes and quantities of WIC authorized foods that shall always be in a vendor’s store during business hours. The stock must be in the store or on the premises. Expired foods do not count towards inventory.

MarylandWIC
Minimum Required Stock

The minimum required stock is the specific types, sizes and amounts of WIC authorized foods that must be in a vendor's store during business hours. The stock must be in either the store or the store's stockroom. Expired foods do not count toward the minimum required stock.

See current Authorized Foods List for allowed brands, varieties, and other food specifications.

Item	Type	Size	Varieties	Quantity
Milk	Whole	gallons	–	4
	1% or Fat Free	gallons	–	10
Cheese	Domestic, block or sliced	8 oz. or 16 oz.	4 varieties	6 pounds
Eggs	White, medium or large	dozen	–	6
Beans	Dry	1 pound	2 varieties	3
	Canned, packed in water	15 - 16 oz.	3 varieties	12
Peanut Butter	Plain, smooth, creamy, crunchy, or extra crunchy	16 -18 oz.	1 brand	6
Canned Fish	Chunk Light Tuna, packed in water	5 - 6 oz.	2 varieties	30 oz.
	Pink Salmon, packed in water	5 - 7.5 oz.		
	Sardines, packed in water	3.75 oz.		
Cereal	Corn, Wheat, Oats or Rice	12 oz. or larger	2 varieties	6 boxes
	Whole Grain Wheat or Oats	12 oz. or larger	2 varieties	6 boxes
	Hot Cereal	11.8 oz. or larger	–	1
Fruits & Vegetables	Fresh, whole, cut, loose or pre-packaged Frozen Canned	–	2 varieties of fruits and 2 varieties of vegetables	\$32 total value
Juice	Unsweetened 100% Fruit Juice	64 oz.	2 varieties	6
	Frozen Concentrate 100% Fruit Juice	11.5 - 12 oz.	2 varieties	6

Note: Minimum Required Stock chart continued on reverse side.

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MarylandWIC
Minimum Required Stock – continued

Item	Brand or Type	Size	Varieties	Quantity
Breads, Rolls, Tortillas, and Rice	100% Whole Grain or Wheat Bread	16 oz.	At least 2 varieties of either Bread, Rolls, Tortillas or Rice	Total Inventory: 4 pounds
	100% Whole Grain or Wheat Rolls	15 - 16 oz.		
	Soft Corn or Whole Wheat Tortillas	16 oz.		
	Brown Rice, dry, plain	16 oz.		
Infant Formula	SIMILAC ADVANCE (milk-based) as specified by the WIC infant formula rebate contract	12.4 oz.	Powdered	27
	GERBER GOOD START! SOY (soy-based) as specified by the WIC infant formula rebate contract	12.9 oz.	Powdered	4
Infant Cereal	Dry, as specified by WIC infant cereal rebate contract	8 or 16 oz.	2 varieties 1 must be Rice	6
Infant Fruits	Plain or combination of fruits	4 oz.	2 varieties	16
Infant Vegetables	Plain or combination of vegetables	4 oz.	2 varieties	16
Infant Meat	Plain	2.5 oz.	2 varieties	31

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The most recent Minimum Required Stock can be found under the vendor section of our website: www.mdwic.org.

Infant Formula

Vendors must obtain infant formula only from manufacturers, distributors and wholesaler sources listed on the Maryland Authorized Vendor Infant Formula Supplier Directory.

Infant Formula

COMAR 10.54.03.15 C. (1)(o)



Maryland Authorized Vendor Infant Formula Supplier Directory

Vendors must obtain infant formula from only the following manufacturer, distributor, wholesaler, and retailer sources:

Manufacturer	
Abbott Laboratories	3300 Stelzer Road, Columbus, OH 43219-7677
Mead Johnson	2400 W. Lloyd Expressway, Evansville, IN 47721
Nestle USA	800 North Brand Boulevard, Glendale, CA 91203
Nutricia North America	9900 Belward Drive, Suite 100, Rockville, MD 20850
Solus Products, LLC	6262 Lapas Trail, Indianapolis, IN 46268
Distributor	
Cardinal Health	1120 Commerce Boulevard, Swedesboro, NJ 08085
Delhaize	Lot 16 Commerce Avenue, Greencastle, PA 17225
Jetro	3405 Annapolis Road, Baltimore, MD 21227
Lancaster Distribution Center	500 S. Muddy Creek Road, Denver, PA 17517
Moran Foods, Inc./Save-a-Lot Distribution Center	29 W. Gateway Commerce Center, Edwardsville, IL 62026
Nash Finch Company	6304 Landover Road, Landover, MD 20785
Rite Aid Corp.	Mid Atlantic Ct. Prods Area 2, 601 Chelsea Road, Aberdeen, MD 21001
Supervalu, Inc	Richford Avenue, Mechanicsville, VA 23116
Toys R Us Inc Whse #8301	7106 Geoffrey Way, Frederick, MD 21704
Wholesaler	
B-Green Cash & Carry	1300 S. Monroe Street, Baltimore, MD 21230
Bell's Wholesale Grocery, Inc.	211 Meadows Ridge Drive, Mt. Norris, PA 15349
Bozzuto's, Inc.	275 Schoolhouse Road, Chesire, CT 06410
C & S Wholesale Grocers	100 Quality Circle, Suite 107, Harrisburg, PA 17112
McKesson Drug Co.	4027 Martinsburg Pike, Winchester, VA 22624
MDI	5005 Alex Lee Boulevard, Hickory, NC 28601

Visit www.mdwic.org/vendors for updates or revisions to the Maryland WIC Infant Formula Supplier Directory.

Effective January 2018

This list is subject to change. The most recent Maryland Authorized Vendor Infant Formula Supplier Directory can be found under the vendor section of our website: www.mdwic.org.

Special Formulas and Medical Foods

Pharmacy only stores are not subject to the Minimum Required Stock and are only authorized to sell infant formulas, special formulas and medical foods.

A pharmacy or food store/pharmacy combination vendor shall provide special formulas and medical foods within 48 hours, excluding weekends and holidays, when requested by a participant or the Program.

The eWIC card cannot be charged until the participant receives their special order.

Processing WIC Transactions

There are two different types of Point of Sale (POS) equipment that process eWIC transactions. Most large chain stores have integrated POS systems where eWIC is just another form of payment. Smaller stores usually have stand-beside POS machines. In these stores, WIC purchases must be separate from non-WIC purchases.

Integrated POS

An integrated POS allows both WIC and non-WIC items in the same transaction and does not require the WIC items to be separated. In most cases, you will not know it's a WIC transaction until the eWIC card is swiped. Cashiers ring up all items, scan any coupons and loyalty cards and totals the transaction. The customer slides their eWIC card, enters their PIN and a redemption review slip will print. The participant reviews the slip for accuracy. If everything is okay, they will press "yes" on the terminal and the sale will complete. If there is a balance due, it can be paid for with any type of payment the store accepts. If "no" is pressed, the eWIC payment is cancelled. Corrections to the WIC purchase can be made by the cashier. The customer will then slide their eWIC card again and enter their PIN to complete the sale. Give the customer all receipts.

If a customer thinks that the entire purchase should be approved for WIC, it is good customer service to help them determine which items are not in their benefits balance.

Processing WIC Transactions — continued

Stand-Beside

If your store has a stand-beside POS, WIC foods must be separated from non-WIC foods. After the foods are separated, the first step is to scan the customer's eWIC card, then ask the customer to enter their PIN. This accesses the participant's benefit balance. Scan the UPC on the first item. If the participant has the food item in their benefit balance and it is in the APL, the item description will be displayed on the screen. Enter the price. Do this for all items in the WIC order. If an item is not available to the customer, you will get a message explaining why the item is not approved.

Some examples are:

- The item is not in the APL.
- It's the wrong size.
- The benefit or quantity is not in their benefit balance.

Balance Inquiry

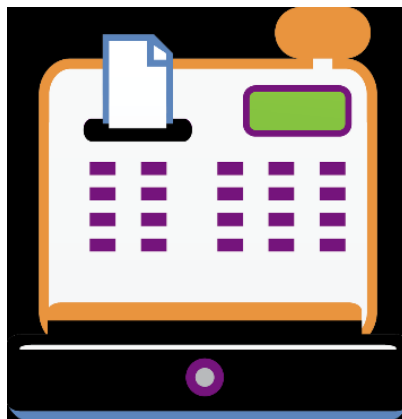
When WIC participants visit their WIC clinic, they are given a shopping list that shows the quantity and types of WIC foods that have been loaded to the family eWIC account. The shopping list is a great tool, but once a family makes a purchase, it is no longer valid as the benefit balance will have changed. For that reason, participants may ask the store to perform a balance inquiry, so they know their current benefit balance before they start shopping.

Transactional Requirements

As an authorized vendor, you have agreed to comply with all applicable Required Vendor Practices in accordance with COMAR 10.54.03.15, which include but are not limited to the following:

A VENDOR SHALL:

- Allow participants and proxies redeeming WIC benefits a choice of the WIC authorized foods prescribed to them.
- Scan the barcode or PLU affixed to the item being purchased.
- Accept the eWIC card only for authorized food brands, quantities, and types as prescribed in the participants' benefit balance.
- Accept cents-off coupons from an individual redeeming WIC benefits for prescribed authorized foods and deduct savings from the purchase price requested.
- Allow the use of bonus or club cards, buy one, get one free, and any other promotion offered to customers that does not involve cash back.
- Allow the purchase of the full amount or less than the full amount of the benefit balance.
- Provide authorized foods to an individual redeeming WIC benefits only upon receiving authorization from the point-of-sale.
- Accept the eWIC payment as payment in full for the WIC foods purchased.
- At the time of purchase, give the participant all receipts that print from the POS device.



Transactional Requirements — continued

A VENDOR SHALL NOT:

- Ask for identification from a WIC participant. The participant only needs their eWIC card and PIN number.
- Redeem WIC benefits for a non-WIC item or credit.
- Redeem WIC benefits for spoiled or out-of-date food.
- Issue a rain check, that is, allow an individual redeeming WIC benefits to get, at a later date, an item the vendor does not have at the time the eWIC card is presented.
- Give the participant change from a WIC transaction.
- Provide, solely to participants, incentive items or other free merchandise, including food.
- Permit the return of food purchased with WIC benefits in exchange for cash or another item.
- Collect sales tax on WIC purchases.
- Traffic in WIC benefits. Trafficking is buying or selling WIC benefits for cash.
- Sell alcohol, alcoholic beverages, or tobacco products in exchange for WIC benefits.
- Accept WIC benefits in exchange for:
 - Ammunition
 - A firearm
 - An explosive
 - A controlled substance as defined by 21 U.S.C. §802

A vendor who violates these provisions is subject to sanctions as stated in COMAR 10.54.03.16.

Retention of Authorization

A vendor retains its authorization until the:

- Vendor is disqualified for Program violations.
- State agency terminates the vendor in accordance with the vendor agreement.
- Vendor notifies the State agency it no longer wishes to be a WIC vendor.
- Authorization period has expired.
- Vendor is determined to derive more than 50 percent of its eligible food sales from the redemption of WIC food benefits.

The Program shall immediately terminate a vendor's authorization if it determines at any time during the authorization period that the vendor provided false information to the Program.

The Program may reassess the vendor at any time during the authorization period using the current vendor selection criteria. The Program shall terminate the vendor's authorization if the vendor fails to meet the current vendor selection criteria.

Price Determinations

The WIC Program calculates average prices according to the geographic region and peer group averages as determined by the Program. A peer group is a breakdown of stores by size within regions. The peer group average is the average of prices charged by vendors within a peer group for WIC food items. The WIC Program may implement price determinations that are applicable statewide, or to specific peer groups, provided that vendors receive 30 calendar days' notice of the intended determination.

More information on peer groups can be found under the vendor section of our website:

www.mdwic.org.

Maximum Reimbursement to Vendors

The State agency establishes a maximum price payable for each WIC food item limited to an amount not to exceed (NTE) as determined by the Program. The State agency shall determine every month the peer group average for each food item based on the WIC Management Information System calculation.

Military Commissaries

The maximum price payable by the State agency for a WIC food item redeemed by a military commissary is the price charged by the military commissary.

Above 50% Vendors

The Maryland WIC Program does not allow above 50% vendors. An above 50% vendor is a vendor that derives more than 50 percent of the vendor's annual food sales revenue from WIC transactions. Food sales is defined as all SNAP eligible foods intended for home preparation and consumption.

The Program uses the methodology provided by the U.S. Department of Agriculture, Food and Nutrition Service to ascertain whether or not the vendor derives more than 50 percent of the vendor's eligible food sales revenue from the redemption of WIC benefits.

A vendor identified as being an above 50% vendor, shall only be paid the statewide average of all other non-above 50 percent vendors for WIC food items. The vendor will be given the opportunity to demonstrate they are not an above 50% vendor. If the vendor is determined to derive more than 50% of its eligible food sales from WIC transactions, their authorization shall be terminated.

Recovery of Excess Charges

The Program, through post payment edit reviews, shall ensure that excess charges do not occur.

- Vendors shall not charge WIC participants a higher price for food than other customers.
- Vendors shall only charge the State agency for WIC food items received by a participant.
- Vendors shall reimburse the Program for losses sustained by the Program due to theft, fraud, or improper handling of WIC benefits by the vendor.

If the State agency determines that excess charges have occurred as a result of software, bank, or other error, the State agency reserves the right to bill a vendor for excess charges.

Vendor Violations and Sanctions

A violation is an incident or incidents involving failure to comply with the required practices outlined in the WIC Vendor Agreement, state, and federal regulations. Vendors are responsible for violations committed by owners, officers, managers, agents and employees.

A sanction is the penalty for violating Maryland WIC Program rules and or federal regulations, policies and/or procedures.

Sanctions may result in the disqualification of a vendor's WIC authorization.

In accordance with the Vendor Agreement, and by reciprocal agreement, all WIC vendor disqualifications are reported to the U.S. Department of Agriculture, and the Supplemental Nutrition Assistance Program (SNAP). In accordance with 7 CFR § 278.6 (e)(8) of the SNAP Regulations, disqualification from the WIC program could result in the disqualification of the vendor from participation in the SNAP Program. Such a disqualification is not subject to SNAP administrative or judicial review.

In addition to the State agency sanctions set forth in COMAR10.54.03.16, and pursuant to 7 CFR §§246.12(f)(xiv) and 246.23(d), a vendor that commits fraud and abuse of the Program may be liable to prosecution under federal, state, and local laws.

For a complete and up-to-date list of sanctions, visit www.dsd.state.md.us/comar.

Vendor Monitoring and Investigations

The Program, including contractors and representatives from local WIC offices, may conduct monitoring of a vendor to determine compliance with applicable federal and state policies and regulations, the WIC Vendor Manual, and the WIC State Plan of Operations. Monitoring activities may include, but are not limited to, random monitoring, educational buys, inventory audits and covert compliance buys which are conducted without the knowledge of the vendor.

Sometimes a vendor comes to the attention of the State Vendor Compliance Unit and is determined to be a vendor at high risk for violating WIC regulations. A vendor can be designated as high risk for many reasons including, but not limited to:

- A suspicious pattern of redemptions;
- A pattern of violations;
- A recent WIC or SNAP disqualification; or
- Designated by SNAP as high risk.



Routine Monitoring

A routine monitoring of a store means assessing vendor compliance with Program requirements. A routine monitoring will include, but is not be limited to the following:

- Compliance with the terms of the WIC Vendor Agreement.
- Reassessing the vendor for compliance with current selection criteria.
- Ensuring the minimum quantities of the authorized food items are stocked as specified in the Minimum Required Stock.
- Making sure the prices of WIC foods are displayed at, on or near the WIC food items.
- Confirming that only Maryland WIC approved foods are labeled with Maryland WIC approved shelf tags.
- Certifying that the store has a valid Food Service Facility License and Pharmacy License, if applicable.
- Inspecting the store premises and records.
- Providing an opportunity for the vendor to receive training, discuss problems and ask questions.

If a problem is discovered during a routine monitoring visit, it will be documented on the Retail Vendor Monitoring Report. A copy of the report and any applicable warning letters will be mailed to the vendor. A follow-up visit will be conducted 2-3 weeks following the violation notice to ensure corrective action has been taken.

If the problems are not corrected, the vendor is subject to sanctions or disqualification set forth in COMAR 10.54.03.16.

Compliance Investigations

Compliance Buys are covert, on-site investigations in which a representative of the Program poses as a participant, parent, guardian or designee and uses an eWIC card to make a purchase. The identity of the WIC representative is not revealed during these visits. The undercover WIC representatives are directed to look for violations such as, but not limited to, substitution of non-WIC items, overcharges, charging for food not received and trafficking of WIC food benefits.

Educational Buys

An Educational Buy is the same procedure as the Compliance Buy with one exception. Once the WIC transaction is completed, the WIC representative will identify his/herself and the results of the buy will be reviewed with the appropriate store personnel. If a problem is discovered, it will be documented on the Retail Vendor Monitoring Report and no sanctions will result.

Inventory Audits

An inventory audit is an audit conducted over a specific period of time in order to determine whether a vendor's claimed reimbursement for the sale of an amount of a specific food item exceeds the vendor's documented inventory of that item.

During an audit, State Agency representatives visit the store on two separate occasions, over a specific period of time, and count the particular WIC authorized food items under audit on the store's premises that are available for resale. The data collected is analyzed to compare the amount of foods for resale on the store's premises and invoices for foods purchased by the store for resale, to the amount of foods purchased by WIC participants.

It is required that all infant formula be purchased from a source on the Maryland WIC Authorized Vendor Infant Formula Supplier Directory. Invoices for infant formula from other sources shall not be accepted.

If it is determined that improper redemption procedures have occurred, the Program shall claim reimbursement for any overcharges in accordance with the Vendor Agreement and COMAR 10.54.03.15(D)(2)(c). The store shall also be disqualified from the WIC Program.

Record Retention

Vendors are required to keep all WIC related accounting records for a period of 3 years.

Accounting records are legible records that show actual numbers of eligible food sales from the vendor and not an estimated number or percentage of eligible food sales; and actual WIC sales for each individual day. Records shall include but are not limited to sales and use tax returns, U.S. individual/business tax returns, daily sales journals or daily ledgers, sales receipts or register tape, inventory invoices, all of which include a breakdown of sales between the Supplemental Nutrition Assistance Program (SNAP) eligible food sales and non-eligible food sales.

Inventory records or invoices shall include the following:

1. Name and address of the supplier or wholesaler;
2. Date of the purchase;
3. Description of the exact items purchased, including, size, stock number, and UPC code (if available);
4. Unit price of the items;
5. Total quantity purchased.

The following criteria shall also be met regarding the acceptability of inventory records or invoices for WIC review purposes:

1. Receipts, which do not completely describe the actual item, shall have computer codes, which can be verified by contacting the store at which the merchandise was purchased.
2. All receipts from purchases at retail establishments shall be machine dated by the establishment. Hand dated retail store receipts are not acceptable.
3. Affidavits, Statements of Fact and oral statements shall not be accepted as evidence of inventory. Only purchase invoices or retail receipts as described in this section shall be accepted and constitute evidence of inventory.
4. Inventory invoices for infant formula shall only be accepted from those wholesalers, distributors, and retailers listed on Maryland's Authorized Vendor Infant Formula Supplier Directory.

Appeals

An Appeal is a written request made through the State WIC Office to the Office of Administrative Hearings for review of a Program action.

Request for Hearing

A vendor or vendor applicant shall preserve the right to a hearing, if a hearing is desired, by mailing a written request for a hearing to the Director of the Program within 10 calendar days of the receipt of the notice of the proposed disqualification or denial. A request for an appeal should briefly state the grounds for the request, and include a copy of the Notice of Disqualification or denial letter. If a hearing is requested, the agency has the authority to hold the hearing pursuant to Md. Code Ann., State Government Title 10, Subtitle 2, and COMAR 10.54.03.18. The hearing will be scheduled and conducted by the Office of Administrative Hearings, in accordance with the hearing regulations in COMAR 10.01.03 and 28.02.01.

The Program shall consider a request for a hearing filed on the earlier of the dates it is:

1. Received by the Program; or
2. Postmarked by the United States Postal Service.

A vendor may not appeal the following actions:

- (1) Disqualification from WIC resulting from a violation of Regulation 10.54.03.15B(1)(m);
- (2) The State agency's decision as to whether a participant hardship exists;
- (3) The expiration of a vendor agreement;
- (4) The State agency's determination to include or exclude an infant formula manufacturer, wholesaler, distributor, or retailer from the required list of infant formula suppliers;
- (5) The validity or appropriateness of the State agency's prohibition of incentive items and the State agency's denial of an above 50 percent vendor's request to provide an incentive item;
- (6) The State agency's determination whether to notify a vendor in writing when an investigation reveals an initial violation for which a pattern of violations must be established in order to impose a sanction;
- (7) The validity or appropriateness of the State agency's vendor peer group criteria and the criteria used to identify vendors that are above 50 percent vendors or comparable to above 50 percent vendors.

- (8) The State agency'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;
- (9) Disputes regarding food instrument payments and vendor claims, not including the opportunity to justify or correct a vendor overcharge or other error; or
- (10) The validity or appropriateness of the State agency's vendor selection criteria.

Vendor Training

General Requirements for WIC authorized vendors include accepting training from the WIC Program as required by the Program. Vendors shall have a representative attend and participate in at least one State or local agency interactive training session each calendar year if the State agency gives the vendor 14 days' notice of a scheduled training session and holds the training session in the vendor's region.

Every authorized vendor is required to designate at least one person, to serve as the designated trainer. The designated trainer shall train all cashiers, including pharmacy cashiers and other staff involved with WIC transactions on Program requirements. The vendor or its designated trainer will promptly inform employees of changes in the WIC Program, including changes to the Authorized Foods List.

Annual Vendor Training

Annual Vendor Training is conducted in August. All WIC authorized vendors are required to attend annual training to maintain their WIC authorization.

Cashier Training

Cashier training is offered to all WIC authorized vendors. This training is not required, but vendors are encouraged to attend. Vendors will be notified of the training dates and locations, which are scheduled regionally throughout the year.

The WIC Program may mandate cashier training for a vendor with a high rate of errors, or participant complaints. A vendor that fails to attend training mandated by the WIC Program may have its WIC authorization terminated.

Vendors may request in-store Cashier Training by contacting the Vendor Training Specialist.

All trainings require registration. Registration forms are mailed with the training announcement and are available online under the vendor section at <http://www.mdwic.org>.

Training materials are available for order, see Vendor Supply Request Form.

Store Signage

All vendors are required to post, in a conspicuous place, the Program provided “eWIC Accepted Here” sign.



Lane Signage

The USDA does not allow "WIC Only" lanes. This means that you cannot have lanes where only WIC transactions are accepted. If all lanes in a store are capable of processing eWIC transactions (such as stores with integrated POS systems) lane signage is not required. Stores with state provided stand beside POS system equipment may not be equipped to offer WIC services in all lanes. Stores that do not accept eWIC in every lane are required to indicate which lanes accept eWIC. WIC participants are instructed to look for the “eWIC Accepted Here” signs in the register lanes. Signs will be provided to stores that require them. The number of signs provided will be based on the number of lanes with stand-beside eWIC POS terminals.

The following guidance applies to lane signage:

- Vendors shall post the Program provided signs that read “Maryland eWIC Accepted Here”. The signs must be posted in a conspicuous place within the lane where it is visible to the participants such as on the back of the register, on the end of the belt, or hung from the ceiling above the register or lane.
- The signs are available in 3 sizes: 4x4, 8x8, and 10x10

Shelf Prices

Vendors shall display the shelf price of all WIC approved foods at, on, or near the item. If the WIC foods are located behind a service window with no participant access, a price list must be posted in a conspicuous location.

Shelf Tags

Shelf tags are made available to WIC vendors at no charge. The use of shelf tags is optional; however, vendors are encouraged to use them as they help your customers find the WIC authorized products in your store. If you use shelf tags, you are also cautioned to make sure they are properly placed. If your stockers move items on your shelves, make sure the tags are not in the wrong location. Remember that it is a violation of federal and state WIC regulations to place stickers or labels on WIC food items. Vendors may develop their own shelf tags, but they must be approved by the State agency prior to use. **You are also reminded that the WIC acronym (W.I.C.) and the WIC logo are copyrighted and may not be used without obtaining permission from the State WIC Agency.**



Store Closures & Change of Ownership

The vendor shall give 30 days' notice to the State agency of a store's closing, relocation, change in ownership, or desire to withdraw from the Program. The vendor must notify the Program immediately when a store cannot operate due to fire or other natural disaster. Should the vendor temporarily close the vendor's business for any reason and the business is able to reopen within 30 days, the vendor shall retain the vendor's WIC authorization. However, if more than 30 days are needed to reopen, the Program shall terminate the agreement, and the vendor must reapply for authorization and be approved as an authorized WIC vendor. The vendor shall notify the Program of any temporary closures at least 5 days in advance of the closure.

WIC authorization is not transferable. Any change in ownership or rights of ownership, cessation of operation, or relocation of a store terminates the WIC Vendor Agreement and the vendor's authorization to operate as a WIC vendor is ended. Termination of an agreement due to change in ownership or relocation of a store may not be appealed.

The relocation of a WIC store also terminates a vendor's authorization, and the vendor must reapply for a new period of authorization and be authorized as a WIC vendor by the WIC Program before it may operate as a WIC vendor at the new location.



Vendor Complaints

WIC participants are not permitted to cause a disturbance in your store, abuse your employees, or violate the procedures for redeeming benefits. If you have a complaint against a WIC participant, make a copy of the Vendor Incident Report, located in the back of this manual, complete the report, and send it to the State WIC Office. The Vendor Complaint Form is also available online at www.mdwic.org. You should provide as much detail as you can pertaining to the complaint (who, what, when, where, etc.) It is helpful to attach a duplicate receipt of the transaction so that we can identify the participant. If you have additional details about the incident and wish to attach additional pages to the form, please feel free to do so.

Please be sure to identify your store in the spot designated for the Vendor ID Number. The incident will be investigated, and the appropriate action taken. *For reasons of confidentiality, we may not disclose actions taken against WIC participants.* All properly filed complaints are acknowledged in writing by the Maryland WIC Program.

Fax Number for State WIC Office - 410-333-5683

Report Suspected Fraud & Abuse

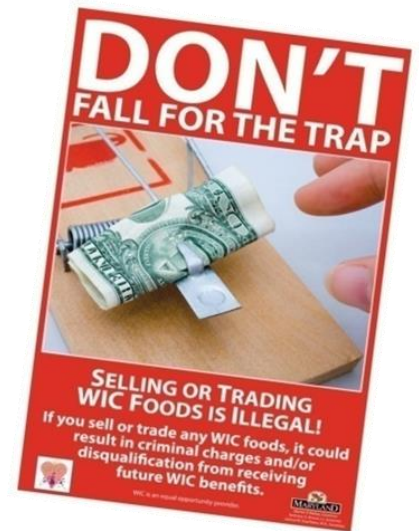
If you think someone is abusing or committing fraud against the Maryland WIC Program, you can let WIC know. Some examples of fraud and abuse include:

Participants who:

- Sell or give away WIC benefits.
- Sell or give away formula or foods purchased with WIC benefits.
- Lie about income or family size when applying for WIC.
- Buy non-WIC food with WIC benefits.
- Trade WIC benefits for other items or cash.

Vendors who:

- Buy WIC benefits for cash.
- Accept WIC benefits for non-WIC food.
- Accept WIC benefits for payment for past purchases.
- Accept WIC benefits for credit.
- Accept WIC benefits for a non-WIC authorized store.
- Overcharge for WIC food.



You can tell WIC about someone you know or suspect of Program abuse by:

- Calling the State Vendor Compliance Unit at 410-767-5251. You do not have to give your name.
- Printing the Maryland WIC Program Fraud and Abuse form at www.mdwic.org and:
 - a. Mailing it to the State WIC office as indicated on the form
 - b. Faxing it to 410-333-5683, or
 - c. Emailing it to mdh.wic@maryland.gov.

Remember, you do not have to give us your name. Thank you for helping us to identify fraud and abuse in the Maryland WIC Program!

In-Store Customer Service

If the customer is having difficulty finding WIC approved foods, it is good customer service to offer to help them.

For all questions regarding the participant's benefit balance, please refer the customer to their WIC clinic.

When customers are happy with the service they receive in a store, they are sure to come back. The Maryland WIC Program appreciates all the hard work of the many dedicated store personnel who work tirelessly to serve all of their customers.

Vendor Unit Customer Service

The Vendor Unit is here to support all WIC authorized vendors be successful. If you need assistance from the WIC Program Vendor Unit, please call in advance to schedule an appointment. Visitors must report to the building security desk and be announced before proceeding to the WIC Program administrative offices. If you have any questions, or to schedule an appointment, please contact Terri Buckler at 410-767-5722, Andrea Tompkins at 410-767-5251, Debbie Earl at 410-767-5433, or Ashant'a Johnson at 410-767-5233.

Remember to treat all Program staff and contractors with respect and courtesy. The vendor shall not verbally abuse, threaten, retain or hold, against their will, any Program staff or contractors. Abuse of any kind will result in the termination of the vendor's agreement.

Contact Information

Vendor Authorization, Training and Ordering WIC Materials

Terri Buckler
Vendor Training Specialist
410-767-5722
terri.buckler@maryland.gov

Andrea Tompkins, Vendor Authorization
and Compliance Supervisor
410-767-5251
andrea.tompkins@maryland.gov

Debbie Earl, Vendor Authorization
and Compliance Specialist
410-767-5433
debbie.earl@maryland.gov

Ashant'a Johnson, Vendor Authorization
and Compliance Specialist
410-767-5233
ashanta.johnson2@maryland.gov

Fraud & Abuse
E-Mail: mdh.wic@maryland.gov

Stand-Beside Equipment
Solutran
866-730-7746
ebtservices@solutran.com

Vendor Compliance/Regulations/Fraud & Abuse/Vendor & Participant Complaints

Maura Shea
Chief, Vendor Operations and Program Compliance
410-767-5258 maura.shea@maryland.gov

The State WIC Office administers the WIC Program in Maryland, and the WIC employees named above perform the functions listed. In general, you should call the State agency with questions concerning vendor matters. WIC local agencies primarily handle clinical and administrative duties having to do with WIC participants. At the local clinics, participants are certified, have the WIC rules and regulations explained to them, and receive their benefits.

Each local agency has a vendor liaison that will be happy to help you. The following page lists each local WIC agency in Maryland, their phone numbers, and the counties they serve. You may call your local agency concerning WIC participants and general questions you have about WIC.

Local WIC Agencies

Call 1-800-242-4942
or your local Maryland WIC office



Allegany County	301-759-5020
Anne Arundel County	410-222-6797
Baltimore City	
Johns Hopkins	410-614-4848
Health Department	410-396-9427
Baltimore County	410-887-6000
Calvert County	1-877-631-6182
Caroline County	410-479-8060
Carroll County	410-876-4898
Cecil County	410-996-5255
Charles County	301-609-6857
Dorchester County	410-479-8060
Frederick County	301-600-2507
Garrett County	301-334-7710
Grantsville Residents	301-895-3111
Harford County	410-939-6680
Howard County	410-313-7510
Kent County	410-810-0125
Montgomery County	301-762-9426
Prince George's County	
Greater Baden	301-324-1873
Greenbelt Area	301-762-9426
Health Department	301-856-9600
Queen Anne's County	443-262-4423
Somerset County	410-749-2488
St. Mary's County	1-877-631-6182
Talbot County	410-479-8060
Washington County	240-313-3335
Wicomico County	410-749-2488
Worcester County	410-749-2488



10.54.03.15 - Required Vendor Practices

and

10.54.03.16 - Vendor Sanctions

The WIC Program uses sanctions to enforce program regulations and contract provisions. Vendors who fail to follow the required practices receive sanctions that include warning letters, disqualification of authorization and termination of the vendor agreement. In rare instances, a monetary penalty may be imposed in lieu of disqualification. The sanction imposed depends on the seriousness of the violation.

The WIC Program detects violations through monitoring, educational buys, compliance investigations, inventory audits and data analysis. Vendors who commit fraud and abuse may be prosecuted under federal, state and local laws and may be fined or imprisoned in addition to program sanctions (see federal regulations at §7CFR 246.12 (h)(3)(xxv)). Also, if a vendor is disqualified from the WIC Program, its SNAP authorization may also be terminated. Likewise, a vendor that becomes disqualified from or is given a monetary penalty by the SNAP Program shall be disqualified or fined by the Maryland WIC Program.

- The WIC Program is not liable for monetary losses due to the imposition of sanctions.
- Sanctions may be revised from time to time when deemed necessary by the Maryland WIC Program or as required by federal regulations.

Required vendor practices, sanctions, and appeals are prescribed by COMAR 10.54.03.15 and 10.54.03.16 and 10.54.03.17

COMAR is available online at <http://www.dsd.state.md.us/comar>.

MarylandWIC

1-800-242-4942 www.mdwic.org



In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](http://www.ascr.usda.gov/complaint_filing_cust.html), (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

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