

**From:** [MDHHS-WICVendor](#)  
**Subject:** Updated WIC Vendor Policies - Effective Sept. 1, 2022  
**Date:** Friday, August 26, 2022 4:49:00 PM  
**Attachments:** [1.02 Overview of the WIC Program 09.01.2022.pdf](#)  
[2.01 Vendor Applications Authorization 09.01.2022.pdf](#)  
[2.02 Vendor Selection Criteria 09.01.2022.pdf](#)  
[2.04 Vendor Limitation Policy 09.01.2022.pdf](#)  
[6.01A Sanction Schedule 09.01.2022.pdf](#)  
[6.03 Adverse Actions Against Vendors 09.01.2022.pdf](#)  
[7.01 Appeals Policy Overview 09.01.2022.pdf](#)  
[7.02 Adverse Actions Subject to Appeal 09.01.2022.pdf](#)  
[Rx Vendor Contract 09.01.2022 Sample.pdf](#)  
[Vendor Contract 09.01.2022 Sample.pdf](#)

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Dear WIC Vendor,

This Notice contains important information regarding changes to WIC Vendor program policies which are part of the Michigan WIC State Plan of Program Operation and Administration (State Plan).

These changes, **effective September 1, 2022, have been approved by USDA Food and Nutrition Service and include minor** verbiage fixes, added definitions and updated citations. An overview of these changes is provided below. All authorized WIC Vendors must comply with program policies and published changes to the WIC Vendor Contract.

Summary of WIC Policy Updates:

#### **1.02 – Overview of the WIC program**

- Updated language throughout to increase gender inclusivity.
- Added language to clarify that parents/caregivers of eligible children may apply for WIC benefits on their behalf.

#### **2.01 – Vendor Applications & Authorization**

0. Updated open application period (OAP) application deadline to ‘mid-December’ to allow for increased flexibility according to how dates fall within the week on any given year.
1. Clarified that WIC Vendor Contracts last a maximum of 3 years and are region-specific.

#### **2.02 – Vendor Selection Criteria**

0. Denoted federally required and waivable selection criteria using <sup>F</sup> and \*.
1. Added allowable exceptions to the minimum stock requirements.
2. Decreased minimum required quarterly volume from \$1,200 to \$800.
3. Removed minimum stock requirement for pharmacy Vendors.
4. Added ‘ability and willingness to order WIC-approved formulas’ requirement for pharmacy Vendors.

#### **2.04 – Vendor Limitation Policy**

- Added clarification that pharmacy Vendors are not subject to the limitation policy nor part of the ranking process.
- Added clarification that participant access Vendors, including pharmacy Vendors, qualify for state-funded stand-beside POS equipment

### **6.03 – Adverse Actions Against Vendors**

0. Added clarification that for third or subsequent violations, Vendors will be subject to double the sanction.
1. Added that WIC will not disqualify a Vendor for a civil money penalty (CMP) issued in lieu of disqualification from SNAP or another agency, nor issue an additional CMP.
2. Added that WIC has the discretion to enter into a corrective action plan (CAP) without issuance of a CMP.

### **7.01 – Appeals Policy Overview**

0. Added clarification that Vendors that fail a CAP retain the right to appeal the initial adverse action.

### **7.02 – Adverse Actions Subject to Appeal**

0. Consolidated multiple actions to decrease redundancy (e.g., business integrity, compliance history).
1. Updated verbiage for clarity and to be in-line with federal regulations.

### **2.05A and B – Full-line and Pharmacy WIC Vendor Contracts**

- Added 'peer group' assignment to top right corner of contract, per federal requirement.
- Struck, consolidated, and rearranged language throughout to increase conciseness.
- Updated description of eligible participants to be more gender inclusive.
- Removed requirement to 'stock as many varieties as possible' outside of minimum stock requirements.
- Added 'recalled' foods to description of foods that should not be available for sale.
- Added language that requires Vendors to notify the Department of a change in normal business hours.
- Added requirement to maintain clean and/or safe shopping conditions.
- Updated language to reflect new non-discrimination statement.

### **6.01A – WIC Vendor Sanction Schedule**

0. Decreased maximum points per visit from 30 to 25 for 'no stock'.
1. Created distinction between points received for expired infant and non-infant foods.
2. Added 'failure to maintain clean and/or safe shopping conditions' to description of Section I, Item 19.
3. Created a new violation for 'failure to notify the Department of a change in normal business hours.'
4. Consolidated items that fall under WIC Vendor Selection Criteria and added exception to termination for failure to meet minimum stock and formula ordering requirements. Added 'and immediate disablement of POS' to sanction.
5. Edited the description of a Corrective Action Plan (CAP) to match standard operating procedures (i.e., may be used for violations found outside of monitoring visits and will conduct UP TO five visits).
6. Updated civil money penalty (CMP) maximums and specified that a CMP will not be issued 'and the Vendor will not be disqualified from WIC' for participant access vendors to increase clarity around the use of CMPs.
7. Created new section 'Subsequent Mandatory Sanction' and clarified second and third sanctions regarding CMPs.

Please see the referenced policies as attachments to this email. As a reminder, all Vendor policies can be found on the Vendor website at [michigan.gov/WICVendor](http://michigan.gov/WICVendor). A direct link to all of our WIC Vendor policies can be found here: [MDHHS - Michigan WIC Vendor Policy](#).

As always, please feel free to contact the Vendor Relations Unit at [MDHHS-WICVendor@michigan.gov](mailto:MDHHS-WICVendor@michigan.gov) or by phone at (517) 335-8937 with any questions or concerns.

Sincerely,

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