

<p style="text-align: center;">Texas WIC Health and Human Services Commission</p>

Effective November 1, 2021

Policy No. WV:11.0

WIC Vendor Reauthorization

Purpose

To describe State Agency (SA) procedures for selecting vendors for reauthorization from one WIC Vendor Agreement period to another with no break in service. A break in service occurs when a vendor quits, is disqualified, terminated and/or the Vendor Agreement expired and is not renewed.

Authority

7 CFR Section 246.12; 246.18

Policy

- I. WIC authorized vendors with a current Vendor Agreement who seek reauthorization will reapply and be evaluated for issuance of a subsequent Vendor Agreement under WIC Program procedures, policies, rules, and regulations.

- II. Prior to reauthorization, the SA will review the qualifications of all vendors to assure that each vendor continues to meet the WIC Program's Selection Criteria, in accordance with WIC policy WV: 10.0. Criteria reviewed for reauthorization include, but are not limited to:
 - A. Competitive prices in accordance with WIC Policy WV: 10.0.
 - B. Redemption of declared Least Expensive Brands (LEB) in accordance with WIC Policy WV: 02.0.
 - C. Previous compliance with WIC Program procedures, policies, rules, and regulations. The vendor has satisfactorily complied with WIC EBT food instrument redemption and transaction submission procedures, policies, rules, and regulations.

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- D. Use of the WIC acronym or WIC logo. If the SA determines that the vendor failed to comply with the prohibitions on the use of the WIC acronym or WIC logo, after having received at least three written warnings, or having been disqualified for and/or having paid a Civil Money Penalty (CMP) in lieu of a disqualification for failing to comply with WIC Policy in regard to the use of the WIC Acronym and/ or logo, the WIC Vendor Agreement will not be renewed. If the vendor receives a warning after paying a CMP or receives a warning after being disqualified for failing to comply with the prohibitions on the use of the WIC Acronym and/or logo, the Vendor Agreement will not be renewed.
 - E. Failure to attend vendor training. The vendor agreement will not be renewed if a vendor or a vendor representative has not attended a live interactive WIC vendor training within three years from the last date a vendor representative attended a live interactive WIC vendor training.
 - F. Valid Permit. All vendors must have a valid retail food operation permit or food manufacturer's permit from the applicable city, county, district, or state health authority.
- III. A history of noncompliance with WIC Program procedures, policies, rules, and regulations will be considered by the SA in determining if the vendor is eligible for a subsequent agreement.
- IV. The SA may allow a vendor's agreement to expire and not be renewed if the vendor has a history of noncompliance with provisions in the Vendor Agreement or the WIC Program procedures, policies, rules, and/or regulations.
- A. Expiration of the Vendor Agreement is not subject to appeal.
 - B. In the event the vendor's agreement has been allowed to expire due to previous noncompliance, a vendor's request for

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reauthorization will not be considered until at least six months from the expiration date of the vendor's last agreement.

- V. The SA will terminate the Vendor's Agreement during its term if the vendor no longer meets vendor selection and/or limiting criteria, including but not limited to:
 - A. Competitive pricing in accordance with Policy WV:10.0
 - B. LEB redemptions in accordance with WIC Policy WV: 2.0
 - C. Noncompliance with the Vendor Agreement, Federal/State statutes, and/or WIC Program regulations, policies, and procedures.
- VI. The SA will immediately terminate the Vendor Agreement if it determines that the vendor has provided false information in connection with its application for authorization.
- VII. Termination of the Agreement is subject to administrative review in accordance with Policy WV: 01.0 and Policy WV:13.0. In the event the SA terminates the Vendor Agreement, the vendor's request for subsequent application will not be considered until at least six months from the date of termination.