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Alternate Operating Procedures

POLICY:

The purpose of this policy is to provide guidance for West Virginia WIC State Agency (SA) and Local Agency (LA) partners in responding to disaster situations, which may include natural disasters, public health emergencies, household misfortune, and supply chain disruptions, particularly those involving infant formula. It also outlines WIC's role regarding coordination and planning for natural disasters.

This Alternative Operating Procedure (AOP) policy outlines the Continuity of Operations (COOP) priority for the Office of Nutrition Services (ONS), within the West Virginia Bureau for Public Health (BPH), which is to provide continued Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) services and a healthy and safe environment for participants and staff in the clinics, distribution sites, authorized grocery stores, and local, regional, and state offices. The AOP policy is used as a guide to help ensure that all essential functions of ONS and its Programs will continue to be performed under all threats and conditions. ONS staff can achieve the latter while also minimizing the impact on its mission, participants, Programs, personnel, and information technology operations. Critical employees have been identified in the event of a disaster.

The ONS, in the event of an emergency or major disaster affecting large numbers of participants, will take those resources necessary to:

- A. Provide for the safety of personnel and equipment;
- B. Secure records, equipment, materials and supplies;
- C. Restore WIC Program operations and delivery of service as soon as possible;
- D. Support the emergency procedures of the (BPH), Center for Threat Preparedness, and the West Virginia Office of Emergency Medical Services.

The extent of disaster preparation depends on the type of disaster.

- A. When there is advance notice that a WIC clinic may be damaged by a flood, WIC personnel will attempt to remove vehicles, computer equipment, participant charts, medical supplies and equipment to a secure location.
- B. When a WIC clinic is struck by lightning, which causes a fire, there is no time to make preparations. In this case, it is important that all people inside the building leave **immediately** and call the fire department.

When there is advance notice that a disaster may occur, the LA Director will take immediate action upon receipt of the notice.

During a disaster, the mission of the West Virginia WIC Program remains the same:

To improve the health of women, infants, and children in West Virginia by providing quality nutrition and breastfeeding counseling and education, as well as health monitoring and nutritious foods.

In the case of an isolated personal misfortune, where one or more households are affected by a destructive incident such as a gas line explosion, water main break, or house fire, WIC agencies may replace:

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- Redeemed WIC food benefits that are destroyed or unavailable
- Unredeemed WIC Food benefits on the EBT card that has been destroyed.
- Up to the amount of loss, not to exceed the household's current monthly benefit.

ONS Alternative Operating Procedure policy will be reviewed and updated as required.

PROCEDURE:

A. Role of the USDA Food and Nutrition Administration in Disaster Response

USDA'S Food and Nutrition Administration (FNA) provides food assistance to those in need in areas affected by a disaster. This federal assistance is in addition to that provided by State and local governments.

USDA provides disaster food assistance in the following ways:

- USDA Foods are currently stored in every state and U.S. territory and may be used by state agencies or local disaster relief organizations to provide food to shelters or families/individuals who are sheltering in place.
- If retail food stores are operating in the impacted area, state agencies may request to operate a Disaster Supplemental Nutrition Assistance Program (D-SNAP). In WV, the Department of Human Services, Bureau for Family Assistance requests, implements, and administers D-SNAP.
- In certain circumstances, FNA can also provide infant formula and food within 96 hours of a request by FEMA or a SA.

B. Role of WIC in Disaster Response

The WIC Program is not designed to be a disaster assistance program, and therefore is not considered a first line of defense. WIC policies are designed to allow State agencies flexibility in program design and administration to support continuation of benefits to participants during times of natural or other disasters.

1. WIC is not designed or funded to meet the basic nutritional needs of disaster victims who would not otherwise be eligible for the program.
 - a. There is no legislatively mandated role for WIC in disaster relief, nor is there legislative authority for using WIC food funds for purposes other than providing allowable food benefits to categorically eligible participants.
 - b. No additional WIC funds are designated by law for WIC disaster relief, and WIC must operate in disaster situations within its current Program context and funding.
 - c. WIC is not to be considered a first-line defense to respond to the nutritional needs of disaster victims, including the provision of infant formula.

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2. There are important ways that the SA and LA can contribute to a disaster relief effort (see **Policy and Procedure 2.22 Emergency Certifications and WIC Operations**), including:
 - a. Continued benefit delivery to participants and outreach to potentially eligible individuals.
 - b. Counseling participants on food preparation and safety under disaster conditions.
 - c. Coordinated assistance efforts through continued communication with disaster relief agencies, including pre-disaster planning during a disaster.
 - d. Provide information to active participants about the availability of benefit placement due to disaster loss.

C. Disaster Coordination and Communication

1. The following designated emergency contacts within the SA for disasters, emergencies, public health emergencies, supplemental food recalls, and other supply chain disruptions to ensure that the appropriate entities (e.g., Regional Offices, other State Agencies, and Coordinating programs) are aware of the SA's designated contacts.

Area	Emergency Contact	Office Phone
State Agency Disaster Coordination	Office Director	304-352-0960
Administration/Nutrition Services	Quality Improvement/CORE Division Director	304-352-0979
Vendor Management	Division Director	304-352-0954
Crossroads/MIS Services	Division Director	304-352-0956

2. The above-named individuals will be tasked with providing contact information for key SA staff on the SA's public website and ensuring that this information is kept up to date. They will also ensure that the appropriate entities (e.g., Regional Offices, or other State agencies, coordinating Programs) are aware of the SA's designated contact and to ensure that this information is kept up to date.
3. The SA Disaster Coordinator is responsible for coordinating and planning WIC disaster relief and communicating with BPH and FNA.
4. The SA Disaster Coordinator will establish a working relationship with the SA responsible for coordinating and planning disaster relief to do the following:
 - a. Discuss ways they could contribute to a relief effort, such as sharing expertise about the nutritional needs of the WIC eligible population.
 - b. Learn how the State plans to provide food to the general population to determine how the WIC Program can appropriately assist the State in response to disasters or emergencies.

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5. The Nutrition Services (NS) area will address the needs of participants with documented qualifying conditions receiving Food Package III. They will provide participants with a point of contact at their LA Clinic as well as the SA's public website for additional information. ONS will ensure this information is kept up to date.
6. ONS will work with relief agencies responsible for disaster and public health emergency planning, including the BPH COOP elements and the Center for Threat Preparedness. The Office will coordinate with FEMA, relief organizations, State and local emergency operation centers and maintain a list of these agencies' contacts that is kept up to date. The SA Disaster Coordinator will identify WIC SA staff positions for full or partial deployment if needed through the duration of the disaster.
7. ONS will notify FNA partners, SA and LA staff, authorized WIC vendors, WIC participants, and the public during an emergency, food recalls, or other supply chain disruptions. ONS will maintain the **Community Service Directory (Policy 1.10, Attachment #1)** and utilize active vendor listing in Crossroads to keep those entities informed during the disasters. FNA partners will be notified and kept apprised of ongoing disaster-related issues and/or public health emergencies. LAs through the SA will utilize **Documentation of Disaster Problems and Resolutions (Policy 1.10, Attachment #2)** to keep FNA apprised of disaster-related issues. Through the LA and SA websites, participants and the general public will be advised of program changes that affect their area.
8. This policy will be used by the SA and LA as a guide for continued operations by instituting alternate procedures as necessary through the following during a disaster:
 - a. Certification procedures that increase flexibility in required documentation (see **Policy 2.22**).
 - b. Food Delivery procedures that deviate from standard food packages (see **Policy 2.22**).
 - c. Notify the public of any changes in normal program operations, including alternate procedures or locations. Increase outreach to potentially eligible individuals affected by disaster.
 - d. Designate staff to work on disaster and public health emergency teams at the State, local, and clinic levels.
 - e. Designate alternate means and locations for certification and benefit issuance for circumstances in which the conventional means and locations are not possible or optimal. (see **Policy 2.22**).
 - f. Plan for a back-up power system in the event of a power or other technology outage, to include a plan to access program records and issue benefits.
9. The LA Director will prepare and use the list of responsibilities and designated personnel on the **Emergency Preparedness Meetings, Drills and Test Exercises (Policy 1.10, Attachment #3)** form that was completed during a staff meeting to discuss the emergency plan as a checklist for preparation.
10. The LA Director will be responsible for the following:

- a. Assuring that annual pre-disaster preparation is completed;
- b. Maintaining communication with SA, WIC personnel, the media and local sources of food assistance during the initial disaster alert/activation phase, during the disaster, and during the restoration/recovery phase; and
- c. Assuring that pre-disaster procedures and restoration/recovery procedures following a disaster are followed and documented per policy.

D. WIC Program Management during Disaster Situations

1. Disasters may affect caseload management and could result in priority restrictions, the use of waiting lists, shifting of caseload assignments, and the need to refer applicants to other sources of food assistance because of the following factors:
 - a. Many people may suddenly become eligible because of loss of income; and
 - b. Food package adjustments, such as the issuance of ready-to-feed infant formula because of unsafe drinking water, formula shortages, and increased food costs affecting the number of people that can be served.
2. The LA will take reasonable measures to continue providing food benefits to WIC participants in disaster situations.
3. The LA operating in a disaster situation will actively promote the WIC Program to potentially eligible individuals, while operating within its capacity to actually serve newly eligible persons.
4. Certain situations may be so devastating to WIC operations that benefits must be temporarily suspended, and participants referred to other programs or congregate feeding sites.
 - a. The SA Disaster Coordinator will contact the State disaster relief agency and the FNA Regional Office for assistance and information when the LA must decide whether to suspend WIC operations in a disaster area.
 - b. Factors that may determine a WIC clinic's operability during a disaster situation include, but are not limited to:
 - a. The extent of damage to the delivery infrastructure;
 - b. The extent to which the LA has planned and prepared for disaster situations.

E. Continuation of Benefits

To meet requirements or implement waivers, the SA must first determine if the disaster meets one of the following criteria:

1. A presidentially declared major disaster as defined under Section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act, 42 U.S.C. 5121 et seq.)

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2. A presidentially declared emergency as defined under the Stafford Act
3. A public health emergency declared by the Secretary of Health and Human Services under Section 319 of the Public Health Service Act (42 U.S.C. 247d)
4. A renewal of such a public health emergency
5. A supply chain disruption as declared by the Secretary of Agriculture.

In conjunction with the State's Office of Threat Preparedness, if SA determines one of these events exists, the SA will request a waiver to continue WIC services.

Waivers may be requested to address:

1. Physical presence for participants, such as a remote/virtual certification appointment
 - a. In the case of natural disasters that affect the ability of an applicant to safely travel to a scheduled appointment or an appointment made during an ongoing disaster situation requiring physical presence, waivers may also be applied in this situation.
2. Separation of duties
3. Vendor and LA monitoring

Alternate operating procedures are available:

1. Certification/serving applicants and participants from an alternate WIC clinic and providing nutrition assessment and referral to other organizations
2. Set up mobile or satellite clinic to certify/serve applicants and participants and provide nutrition assessment and referral to other organizations
3. Allowing temporary certifications when an applicant has no proof of identification, income, or residency (per 7 CFR 246.7(C)(2)(i)) due to an emergency disaster situation, or when the Governor of WV issues a State of Emergency in a specific region. In these cases, the LA must require the applicant to confirm in writing his/her residency or identity on **Policy 2.17, Attachment 1, Identification of Applicant, Participant and Parent, Guardian or Caretaker**, which will be sent to the SA via email or fax as part of the approval process.
4. Collection of anthropometric and bloodwork data for participants through alternate means such as the West Virginia Health Information Network
5. The collection of eligibility documentation (secure website upload, mobile device screen share, mail, secure email and video conference)
6. The collection of signatures on required documents
7. Replacement of EBT cards and destroyed supplemental foods, see **WV Policy & Procedures 1.10.G.2b & 3.07.A**
8. Mailing of EBT Cards, see **WV Policy and Procedure 2.22.E**.

F. Certification Procedures during Disaster Situations

The SA and LA will update their public web pages/social media accounts with instructions for obtaining an up-to-date Verification of Certification (VOC) and to notify neighboring SAs of where a VOC may be obtained by displaced participants. This policy

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should help to expedite the certification process and ease transition to another SA. In a verified disaster situation, verification will be altered in the following manner until the disaster situation is resolved:

1. VOC
 - a. To expedite the certification process, the WIC clinic can provide a (VOC) to WIC participants when a disaster-related evacuation is anticipated.
 - b. If a VOC has not been issued, participants in disaster-prone areas can be reminded during their certification visits that it is a good practice to prepare a disaster folder that contains their WIC certification documentation and plan on taking these materials with them if they are evacuated.
 - c. The SA may authorize the certification of applicants when no proof of residency or identity exists (such as when an applicant or an applicant's parent is a victim of theft, loss, or disaster; a homeless individual; or a migrant farmworker). In these cases, the LA must require the applicant to confirm in writing his/her residency or identity on **Policy 2.17, Attachment 1, Identification of Applicant, Participant and Parent, Guardian or Caretaker**, which will be sent to the SA via email or fax as part of the approval process.
2. Income eligibility determination may deviate from the usual WIC Program operation in disaster situations.
 - a. During subsequent certification, participants who express that their income documentation was lost because of a disaster will be considered as income eligible.
 - b. It must take place within a reasonable time period (approximately 1 month) following a disaster during which they have not had time to acquire documentation.
 - c. The documentation will be verbally verified as similar to that documented during the previous certification.
 - d. A note will be placed in the **Income Overview Comments** area in the **Crossroads Income Information** with the date and the statement: "Income Documentation Lost in Disaster."
 - e. An applicant who has a loss of income because their place of employment was destroyed and is likely to be out of work for an extended period will have income assessed based on the previous month.
 - f. An applicant who has a temporary loss of income because of a business that sustained some damage, or a temporary loss of utilities, will have income calculated on a twelve (12) month basis.
 - g. When an applicant has no proof of identification, income, or residency, they must provide a signed statement attesting to their identification (see **Policy 2.17 Attachment #1**).

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- i. The only acceptable uses of **Policy 2.17, Attachment #1** include: a domestic violence victim, a victim of theft, loss, or disaster, a homeless individual or a migrant.
3. While temporary shelters and tent cities in which disaster victims may stay meet the definition of a “homeless facility”, residence in such facilities does not automatically make such persons eligible for WIC. Homeless applicants must qualify through the certification process to receive WIC benefits.
4. During disasters, WIC Program employees who are also WIC participants or caretakers will not be responsible for issuing eWIC benefits/cards to themselves or members of their immediate family or conducting any aspect of the eligibility process for themselves or members of their immediate family, including issuing of VOC cards, taking anthropometric measures, and certifying the eligibility of such persons.

G. Benefit Issuance and Redemption

1. The EBT system ensures robust telecommunications redundancy by utilizing commercial networks and available commercial POS terminals, or FIS-installed WIC-only stand-by side hardware, for benefit redemption. To enhance system reliability, the system includes backup host processing capabilities that conform to federal regulations, national standards, and specified WIC SA performance standards. These measures ensure continuous service availability and data integrity, even in the event of network or system failures.
2. WIC participants may require a change in food package during a disaster.
(See Policy 1.10.I.A)
3. EBT Card Replacement
 - a. EBT card replacement and benefit transfer will be completed on a daily basis as ONS is made aware. If needed, these replacements can be completed from an alternate location.
 - b. In areas where mail could be unreliable in a disaster or emergency, they could be picked up at the clinic.
 - c. If an emergency clinic is in place, an EBT card could be allocated to the client and later linked to the EBT account once the staff is connected to Crossroads.
 - d. WIC personnel will be aware of locations of emergency feeding services and sources of clean water to be able to refer those who contact WIC for this type of assistance.
4. Benefit Replacement
 - a. In cases when benefits are destroyed in a household misfortune or disaster, such as, but not limited to, fire, flood, tornado, hurricanes, and other natural disasters affecting a participant’s household, the participant will be eligible for replacement of the redeemed benefits and/or replacement EBT card for that month if:

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- i. The loss is reported within 10 days of the incident
 - ii. The participant's misfortune or disaster is verified by:
 - 1. Report from a fire department, police force, or emergency services provider
 - 2. Photographic evidence
 - 3. Media source reporting the incident
 - iii. SA must review and approve the verification documentation for benefits to be replaced.
- b. A household misfortune may affect an individual household's food security. and will be reviewed by the LA. In these cases, circumstances will be reviewed by the LA to evaluate if replacement benefits will be issued based on the type of misfortune on a case-by-case basis
- c. When the Governor of West Virginia declares a State of Emergency (specific counties or statewide), the requirement that the household be without power for a minimum of four (4) hours is considered automatically met for purposes of benefit replacement. No additional verification of the four-hour requirement is needed during the period covered by the declared State of Emergency. This also applies to disaster area verification of replacement needs.
- d. In the event supplemental foods purchased with WIC benefits are lost, damaged, or destroyed in a disaster or emergency, the SA may submit a request to FNA to replace the current month's that include the current month's benefits, so that the supplemental foods can be re-purchased.
- e. In the case of a natural disaster affecting large numbers of people in a regional or state-level situation where emergency declarations initiate action by Federal and State public and private disaster assistance providers, participants are not required to provide proof of disaster for food benefit replacement.
- f. The SA will provide guidance on the replacement of benefits based on the situation.
- g. The SA will ensure they have enough funds before replacing lost EBT-purchased supplemental foods. If the SA does not have the funds, they will contact FNA for assistance.

H. Vendor Management

1. Alternative Procedures for Vendor Monitoring and Compliance Investigations

- a. During a declared disaster affecting food supply chains or distribution networks, the SA activates its disaster recovery plan, which includes provisions for adjusting authorization requirements for new vendor applicants and authorized vendors. This adjustment allows expedited processing of new vendor applications and streamlines the renewal process for existing vendors to ensure continued access to supplemental foods by the WIC program participants.

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- b. In this scenario, the SA may temporarily waive certain documentation or procedural requirements, prioritize essential inspections, or utilize electronic submission methods to facilitate swift authorization adjustments. These measures aim to maintain a robust vendor network capable of meeting increased demand during the disaster while adhering to program integrity and participant access standards.

2. Vendor Minimum Stocking Requirements for Continuous WIC Food Distribution

To ensure uninterrupted distribution of supplemental foods to the WIC program participants during disasters, this policy outlines procedures for adjusting vendor Minimum Stocking Requirements (MSR). The SA will assess and communicate MSR adjustments promptly to vendors, ensuring adequate food supply in times of crisis. The SA will make necessary and temporary NTE adjustments if and as appropriate during disaster situations.

- a. Responsibilities:
 - i. The SA monitors and assesses food supply disruptions.
 - ii. Establishes and communicates adjusted MSR procedures to vendors.
- b. Procedure:
 - i. Activate the disaster recovery plan upon disaster declaration.
 - ii. Assess disaster impact on food availability and adjust MSR accordingly.
 - iii. Communicate adjusted MSR requirements promptly to vendors.
 - iv. Vendors implement adjustments and provide inventory updates.
- c. Monitoring and Evaluation:
 - i. Monitor effectiveness of adjusted MSR during disaster recovery.
 - ii. Conduct regular evaluations for continuous improvement.
- d. Review and Revision:
 - i. Annually review and update policy as necessary.

3. Adjusting Vendor Authorization Requirements During Emergencies

- a. The SA will implement alternative procedures to meet annual vendor routine monitoring and compliance investigation requirements under 7 CFR 246.4(a)(14)(iv). These measures aim to maintain program integrity and ensure continued access to supplemental foods for WIC program participants.
 - i. Remote Monitoring: Use electronic methods for vendor compliance monitoring.
 - ii. Prioritized Investigations: Focus on critical vendors for food distribution.
 - iii. Flexible Documentation: Adjust documentation requirements temporarily for quicker compliance assessments.
 - iv. Communication and Coordination: Maintain regular communication with LAs and vendors about adjusted procedures.

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- v. Monitoring and Evaluation: Assess effectiveness of alternative procedures during disaster recovery and conduct post-disaster evaluations.
- vi. Review and Revision: Annual review and update of policies to align with regulatory changes and best practices.

I. Nutrition Services

1. Food Delivery Procedures

- a. Establish a working relationship with the State's emergency management agency and other relevant organizations (e.g., FEMA, American Red Cross).
- b. The WIC Program will not replace food lost in a mass disaster where community emergency feeding services are provided. WIC personnel will be aware of locations of emergency feeding services and sources of clean water to be able to refer those who contact WIC for this type of assistance.
- c. In the case of a natural disaster affecting large numbers of people in a region or state, where emergency declarations initiate action by Federal and State public and private disaster assistance providers, participants are not required to provide proof of disaster for food benefit replacement.
- d. The SA will provide guidance on the replacement of benefits based on the situation.
- e. WIC participants may require a change in food package during a disaster or supply chain disruption.
 - i. Adjust food packages and authorized food lists to accommodate participants with limited access to food storage or preparation facilities.
 - ii. Make food package substitution adjustments based on the availability of options due to disaster or supply chain disruption.
- f. Ready-to-feed infant formula may be issued when water sources are not safe.
- g. Formula in supply at the WIC clinic may be distributed to WIC participants, as necessary.
 - i. Develop a schedule for food distribution to minimize congestion and ensure orderly access.
- h. There are no exemptions or exceptions allowed when medical documentation is required for the issuance of certain supplemental foods, including exempt infant formulas and WIC-eligible nutritionals during disasters. Staff can secure medical documentation by phone with hard copy documentation within two weeks (Refer to WV **Policy 4.09, Food Package III - Women, Infants and Children with Qualifying Medical Conditions**).
- i. A homeless food package may be issued to WIC participants with no storage and/or electricity.
- j. WIC personnel will provide nutrition counseling and handouts about safety when cooking, eating and drinking following a disaster, as necessary.

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2. Maintain up-to-date contact information for key staff members and partners.
3. Special Formulas
 - a. Strengthen partnerships with healthcare providers and hospitals to facilitate rapid collection of medical documentation needed to issue special formulas.
 - b. Special formulas will be provided by the State-contracted distribution center. The distribution center will ship requested special formulas to either the LA clinic or the participant's home, considering which one is more appropriate.
4. Breastfeeding Support for Participants
 - a. Ensure trained Breastfeeding Peer Counselors (BFPCs) can provide support and assistance during emergencies. Peer counselor staff will educate breastfeeding participants on the importance of safe and adequate water consumption to maintain milk supply.
 - b. Utilize a free 24/7 lactation hotline service to provide remote/virtual breastfeeding support as able.
 - c. Distribute breastfeeding supplies, such as breast pumps and nursing pads, through WIC clinics and emergency distribution points as needed and/or available.

J. Outreach Procedures during Disaster Situations

The LA operating in a disaster situation will increase outreach efforts to actively promote the WIC Program to potentially eligible individuals affected by disaster, while operating within its capacity to actually serve newly eligible persons.

REFERENCES:

1. SFP 93-012, WIC Income Eligibility and Natural Disasters
2. SFP 95-067, WIC Disaster Policy and Coordination
3. SFP 96-035, Revision of WIC Disaster Policy
4. SFP 96-042, Addition of Cross-Reference to SFP 96-035
5. FNS WIC Policy Memorandum 2024-3
6. 7 CFR 246.7(C)(2)(i) j
7. USDA, FNS Guide to Coordinating WIC Services when Regular Operations are Disrupted

ATTACHMENTS:

1. Community Services Directory
2. Documentation of Disaster Problems and Resolutions
3. Emergency Preparedness Meetings, Drills and Test Exercises