

## VI. FOOD FUNDS MANAGEMENT

(Please indicate) State Agency: **West Virginia** for FY: **2024**

Food funds management involves monitoring cost containment measures and procedures related to infant formula and other authorized food items, the monitoring and management of State agency funding sources, and the accurate reporting of participation figures.

During a disaster or public health emergency, or supply chain disruption, the State agency may request to implement existing WIC regulatory and programmatic flexibilities or waivers to support the continuation of Program benefits and services. State agencies should consider the overarching authority, i.e., Stafford Act, Access to Baby Formula Act, or provision(s) authorized by Congress, and duration before developing a policy and procedure. The State agency must provide a detailed description of how it plans to operationalize the flexibility or waiver through their procedure manual where applicable. Please note the State Plan Guidance is not intended to capture a description of waivers authorized by Congress with separate reporting requirements.

Executive Order (EO) 13988, "*Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation*," was issued to all Federal Agencies. The EO set out policies that all persons are entitled to dignity, respect, and equal treatment under the law, no matter their gender identity or sexual orientation. The EO does not usurp section 17 of 42 U.S.C, as amended or applicable regulations, rather it complements the language in the nondiscrimination statement. Following the contents of the EO, State agencies must update their policies and procedures to align with the contents of the EO and the nondiscrimination statement.

- A. **Cost Containment Measures - 246.4(a)(14)(xi), 246.4(a)(14)(xvii), 246.16a(a)**: describe the policies and procedures used to implement cost containment measures as they relate to infant formula contracts, their approval and the processing of infant formula and/ or other rebates, and food package cost containment practices.
- B. **Funds Monitoring/798 Reporting - 246.4(a)(2); (a)(12); and (a)(14)**: describe the State agency's funding sources, how food obligations are calculated to allow for inflation, rebate cash management, and monthly closeout monitoring activities.
- C. **Participation Reporting - 246.4(a)(11)**: describe the methods used to accurately document and monitor participation at the State and local level, and methods for monitoring changes in participation by priority.

## VI. FOOD FUNDS MANAGEMENT

### A. Cost Containment Measures

1. **The State agency seeks FNS approval related to infant formula cost containment measures (check one):**

- For a waiver of the requirement for a single-supplier competitive system. State agency must complete a cost comparison projecting food cost savings in the single-supplier competitive system based on the lowest monthly net price or highest monthly rebate [as required in Section [246.16a\(d\)\(2\)\(i\)](#) through [\(d\)\(2\)\(iii\)](#) and savings under an alternative cost containment system, Section [246.16a\(d\)\(2\)\(B\)](#)]
- To issue an infant formula bid solicitation that evaluates bids by highest rebate. A State agency must demonstrate to FNS' satisfaction that the weighted average retail prices for different brands of infant formula in the State vary by 5% or less [as required in Section [246.16a\(c\)\(5\)\(iii\)](#)].
- Not applicable

**Please attach in the Appendix supporting documentation for requests for FNS approval.**

**ADDITIONAL DETAIL: Food Funds Management Appendix and/or Procedure Manual (citation):** [Click or tap here to enter text.](#)

2. **Cost Containment Contracts for Infant Formula**

a. **The State agency acquires infant formula through the following food delivery systems:**

i. Non-exempt infant formula (check all that apply):

- Home food delivery system
- Direct distribution food delivery system
- Retail food delivery system
- Other (specify): [Click or tap here to enter text.](#)

ii. Exempt infant formula (check all that apply):

- Home food delivery system
- Direct distribution
- Retail food delivery system
- Other (specify): [Click or tap here to enter text.](#)

iii. WIC-eligible nutritionals (check all that apply):

- Home food delivery system
- Direct distribution system
- Retail food delivery system
- Other (specify): [Click or tap here to enter text.](#)

b. **The State agency has a rebate contract/agreement for infant formula.**

Yes

No

If no, check which applies:

- Granted waiver
- ITO with participation under 1,000 as of April (*Proceed to question A.4. Cost Containment for Other Foods*)

## VI. FOOD FUNDS MANAGEMENT

c. Current fiscal year rebates and current net price per unit paid (note the price should reflect current prices rather than original contract prices and rebate amounts):

My rebate price sheet is available and attached as Appendix S  
(Proceed to A. 3. Infant Formula Issuance.)

Primary Contract Infant Formula				
Product/Unit Size	Manufacturer	Rebate/Unit	Net price/Unit	% WS Discount
<b>Liquid Concentrate</b>				
Milk-Based	Abbott	See Appendix	See Appendix	See Appendix
Soy-based*	Abbott	See Appendix	See Appendix	See Appendix
<b>Powder</b>				
Milk-based	Abbott	See Appendix	See Appendix	See Appendix
Soy-based*	Abbott	See Appendix	See Appendix	See Appendix
<b>Ready to Feed</b>				
Milk-Based	Abbott	See Appendix	See Appendix	See Appendix
Soy-based*	Abbott	See Appendix	See Appendix	See Appendix
<b>Exempt Formula (If applicable)</b>				

\*If separate contracts for milk- and soy-based infant formula.

### 3. Infant Formula Issuance.

a. Does the State agency issue the Primary Contract Infant Formula as the first choice of issuance (by physical form), with all other infant formulas issued as an alternative? (Section [246.16a\(c\)\(8\)](#) & [246.10\(e\)\(1\)\(iii\)](#))

Yes       No

b. The percent of total infant participants receiving each type of formula is estimated at:

\*Contract (infant formula authorized and rebated through infant formula cost containment contract/s awarded by the State agency) 80.67%

\*Non-contract (infant formula that is not rebated through an infant formula cost containment contract awarded by the State agency.) Click or tap here to enter text.

Exempt infant formula (non-contract infant formula that is issued through Food Package III)

19.33 %

Non-exempt infant formula (non-contract infant formula that is issued through Food Packages I & II)      0%

\*Contract and Non-contract categories should total to 100%. Exempt and Non-Exempt subcategories should total to 100%.

**ADDITIONAL DETAIL: Food Funds Management Appendix and/or Procedure Manual (citation):** Click or tap here to enter text.

### 4. Cost Containment for Other Foods

a. Rebates are also obtained on other WIC foods.

Yes (specify foods and attach contract in Appendix): Click or tap here to enter text.

No

b. The State agency intends to pursue rebates on other authorized foods.

## VI. FOOD FUNDS MANAGEMENT

Yes (specify): Click or tap here to enter text.

No

c. **To contain food costs, the State agency has limited authorized foods/container sizes/types, etc.**

Yes (If yes, note such limitations on the following table)

No

**ADDITIONAL DETAIL: Food Funds Management Appendix and/or Procedure Manual (citation):** Click or tap here to enter text.

	Specific brands are designated Disallowed	Only certain container sizes are allowed	Allowable types are limited	Other
Exempt formula for women, infants & children	X			
Infant cereal		X		
Infant Fruit/Veg/Meat		X		
Whole fresh fluid milk		X		
Lowfat fresh fluid milk		X		
Skim fresh fluid milk		X		
Fresh milks (e.g., Lactaid, cultured buttermilk, goat milk) (specify): Click or tap here to enter text.		X		
Shelf-stable milk (e.g., evaporated milk, UHT, whole/low fat/nonfat dry milk)		X	X	
Cheese		X	X	
Yogurt	X	X	X	
Soy-based beverage	X	X	X	
Tofu				
Fresh eggs		X	X	
Dried egg mix				
Hot cereal	X	X		
Cold cereal	X	X		
Single strength fruit/vegetable juice	X	X	X	
Concentrated fruit/vegetable juice	X	X	X	

## VI. FOOD FUNDS MANAGEMENT

Whole wheat bread	X	X	X	
Other whole grains	X	X	X	
Peanut butter		X	X	
Dry beans/peas		X	X	
Canned Fish		X	X	
Canned beans/peas		X	X	

### B. Funds Monitoring/798 Reporting

**1. The State agency has procedures to assure that the requirements are met regarding the nonprocurement of food in bulk lots, supplies, equipment, and other services from entities that have been debarred or suspended.**

Yes       No

**ADDITIONAL DETAIL: Food Funds Management Appendix and/or Procedure Manual (citation):** [Click or tap here to enter text.](#)

#### 2. Food Cost Obligations

**a. The State agency calculates food obligations based on the following data (check one):**

- Number of expected participants and average food cost per participant
- Number of expected participants by category (e.g., pregnant woman, infant, etc.) and average food cost per participant category
- Number of expected redemptions by food instrument type and cash-value voucher type and average value per food instrument type and cash-value voucher type
- Other (specify): [Click or tap here to enter text.](#)

**b. The State agency estimates the impact of inflation on food costs through the use of the following inflation escalators:**

- Inflation factor used in Federal funding formula
- State-generated estimates of inflation based on State market basket of foods
- Best guess by food item based on economic reports or other sources
- Other (specify): [Click or tap here to enter text.](#)

**c. The State agency Management Information System automatically produces a monthly obligation amount**

- Yes
- No, data are pulled from various sources and an estimated amount is calculated manually or with a PC spreadsheet
- Other (specify): [Click or tap here to enter text.](#)

**d. The State agency system (in-house or contracted) provides the following data on food instrument and cash-value voucher redemptions at specific (daily, weekly, monthly, as needed) frequencies (check all that apply and provide frequency):**

## VI. FOOD FUNDS MANAGEMENT

### Frequency

### Data

- |                                       |  |
|---------------------------------------|--|
| Daily                                 | <input checked="" type="checkbox"/> Food instruments and cash-value vouchers paid for issue month        |
| <small>As Needed</small><br>As Needed | <input checked="" type="checkbox"/> Food instruments and cash-value vouchers outstanding for issue month |
| As Needed                             | <input checked="" type="checkbox"/> Food instruments and cash-value vouchers that have expired           |
| As Needed                             | <input checked="" type="checkbox"/> Food instruments and cash-value vouchers that are void/unclaimed     |

**ADDITIONAL DETAIL: Food Funds Management Appendix and/or Procedure Manual (citation):** [Click or tap here to enter text.](#)

### 3. Rebate Cash Management

**a. The State agency has a billing system in place that ensures rebate invoices for all authorized food, including infant formula, under competitive bidding, provide a reasonable estimate, or actual count of the number of units purchased by participants during WIC transactions (Section [246.16a\(k\)](#)).**

- Actual count of units purchased
- Estimate of units purchased (attach methodology)
- Other (describe): [Click or tap here to enter text.](#)

**b. The State agency uses a food instrument that enables it to identify the type and brand of infant formula redeemed.**

- Yes, for all formula types, brands, and physical forms
- Yes, for exempt infant formulas
- No

**c. The invoice to the formula manufacturer is issued by:**

- The WIC unit
- The State agency fiscal unit
- Other (specify): WVDHHR Bureau for Public Health – Office of Nutrition Services – WIC Program

**d. Monthly invoices are submitted with supporting data.**

- Yes
- No

**ADDITIONAL DETAIL: Food Funds Management Appendix and/or Procedure Manual (citation):** [Click or tap here to enter text.](#)

### 4. Closeout of Report Month Outlays

**a. The State agency allows the food vendor (and farmer if any) the following number of days to submit food instruments and cash-value benefits for payment (provide the number of days):**

31 Days from the participant's first valid date

**b. The State agency is generally able to close out a report month completely within:**

- 90 days
- 120 days
- Other (specify number of days): [Click or tap here to enter text.](#)

**ADDITIONAL DETAIL: Food Funds Management Appendix and/or Procedure Manual (citation):** [Click or tap here to enter text.](#)

## VI. FOOD FUNDS MANAGEMENT

here to enter text.

**5. Indicate the method used to reimburse vendors (and farmers if any) for redeemed food instruments and cash- value vouchers or other services and specify the entity responsible for making payment:**

<u>State WIC</u>	<u>State FM</u>	<u>Other (Specify)</u>
<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text. By check directly to vendor or farmer
<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text. By check directly to vendor's or farmer's bank
<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text. By electronic transfer to vendor's or farmer's bank
<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text. Other (specify): X EBT Processor )eWIC = FIS/CDP)

**ADDITIONAL DETAIL: Food Funds Management Appendix and/or Procedure Manual (citation):** Click or tap here to enter text.

### C. Participation Reporting

#### 1. Participation Counting

a. **The State agency counts an enrollee who received at least one food instrument/food package (or who received no food instrument/food package, but was either a fully-breastfed infant of a participating breastfeeding woman or a woman partially breastfeeding a participating 6 to 12 month old infant) as a participant during:**

- The calendar month
- The computer system cycle month
- Other (specify): Click or tap here to enter text.

b. **The State agency receives participation counts from:**

- The State agency computer system based on the number of persons issued food or food instruments (manual and automated food instruments), the number of fully-breastfed infants who receive no food or food instruments, but are breastfed by participating breastfeeding women, and the number of women who receive no food or food instruments, but are partially breastfeeding a participating 6 to 12 month old infant.
- Counts reported from local agencies based on issuance records
- Other (specify): Click or tap here to enter text.

c. **If State funds are present, the State agency differentiates between Federal-supported and State-supported participants by:**

- Special code on food instrument
- Special areas of State designated as State-supported areas
- Pro rata allocation based on proportion of Federal to State funds spent
- Other (specify): Click or tap here to enter text.
- N/A State Funds do not support participation

d. **When local agencies are chronically late in furnishing food instrument and/or certification data needed for participation counts, the State agency:**

- Sends warnings

## VI. FOOD FUNDS MANAGEMENT

- Applies financial sanctions
- Requires manual reporting
- Other (specify): N/A Issuance date is sent via real time from Crossroads to the EBT processor (FIS/CDP)

**ADDITIONAL DETAIL: Food Funds Management Appendix and/or Procedure Manual (citation):** [Click or tap here to enter text.](#)

### 2. Participation by Priority

a. **Priority level is a critical data field in the State agency's computer system.**

- Yes       No

b. **The State computer system automatically assigns priority level based on the enrollee's nutritional risk condition.**

- Yes       No

c. **The State agency's computer system revises the priority level determination when a participant changes category (e.g., infant becomes child and receives a child's food package).**

- Yes       No

d. **The State agency has an "unknown" priority category for VOC transfers where priority is unknown.**

- Yes       No

### 3. Participation by Local Agency

**The State agency's computer system supports its requirement to report participation data by local agency to measure breastfeeding performance.**

- Yes       No       N/A

**ADDITIONAL DETAIL: Food Funds Management Appendix and/or Procedure Manual (citation):** [Click or tap here to enter text.](#)