

Program Element Name: **Tribal Special Supplemental Nutrition Program for Women, Infants and Children (“WIC”) Services**

Program Element Number: **PE #240**

OHA Program Responsible for Program Element: **Public Health Division
Center for Prevention and Health
Promotion
Nutrition and Health Screening
WIC**

- 1. Description.** Funds provided under this Agreement for this Program Element may only be used in accordance with, and subject to, the requirements and limitations set forth below:

Funds provided under this Agreement may only be used for providing services for the Special Supplemental Nutrition Program for Women, Infants and Children (“**WIC Services**”). For some agencies, this may also include Farm Direct Nutrition Program services (“**FDNP Services**”) and Breastfeeding Peer Counseling Program services (“**BFPC Services**”). FDNP and BFPC are additions to basic WIC Services, and in order to participate, agencies must be delivering basic WIC services as described below and following guidance outlined in The Oregon WIC Program Policies and Procedures Manual:

<https://www.oregon.gov/oha/PH/HEALTHYPEOPLEFAMILIES/WIC/Pages/wicpolicy.aspx>

This Program Element and all changes to this Program Element are effective the first day of the month noted in the Issue Date of Exhibit C Financial Assistance Award unless otherwise noted in Comments and Footnotes of the Exhibit C of the Financial Assistance Award.

- 2. Description of WIC Services.**

WIC Services are nutrition and health screening, Nutrition Education, Breastfeeding promotion and support, health and community partner referrals, and issuance of supplemental food benefits to WIC participants. WIC services need to be provided in such a manner as to allow timely access to program services by WIC Participants.

Tribe may only provide WIC services to those eligible as outlined in , [7 CFR Part 246](#), Executive Order 12549, the Oregon WIC Manual, OAR 333-054-0000 through 0070, and U.S. Department of Agriculture directives as may be issued from time to time during the term of this Agreement.

Tribe must provide four (4) Nutrition Education contacts per year, document necessary information into the WIC Data System, provide WIC participants with the maximum food benefits allowable to them, maintain Caseload to meet performance measures for Assigned Caseload, have an approved Nutrition Services Plan on file, spend at least twenty percent (20%) of NSA funds for Nutrition Education activities and the amount specified in its financial assistance award for Breastfeeding Education and Support, and maintain complete, accurate, documented and current accounting records of all WIC

services funds received and expended by Tribe.

3. Staffing Requirements and Staff Qualifications. One individual is able to fulfil all requirements if they meet necessary qualifications.

- a. Competent Professional Authority (CPA):** Tribe must ensure CPA are available at each of its service sites for Certification, in accordance with [7 CFR 246.6\(b\)\(2\)](#). A CPA is an individual on the staff of the agency who demonstrates proficiency in certifier competencies, as defined by [Policy 660](#) in the Oregon WIC Manual and is authorized to determine Nutritional Risk and WIC services eligibility, provide Nutrition and Breastfeeding education, and issue appropriate Supplemental Foods.
- b. Nutritionist/Dietitian:** Tribe must have access to a qualified Nutritionist/Dietitian to ensure the quality of the Nutrition Education component of WIC services and provide high-risk Caseload management. A qualified nutritionist is an individual who has a master's degree in nutrition or its equivalent and/or is a Registered Dietitian Nutritionist (RDN) with the Commission on Dietetics Registration. [Policy 435](#) and [Policy 661](#)
- c. WIC Coordinator:** An individual on the staff of the local agency designated by the agency administrator to oversee overall operations of the local agency program and act as the local WIC program representative with the state WIC program and partner organizations. [Policy 435](#)
- d. Training Supervisor:** A health professional designated by the local program to ensure training of local staff is completed in accordance with state policy. [Policy 435](#)
- e. Breastfeeding Coordinator:** A designated staff member who provides leadership to the Tribe regarding breastfeeding promotion, education and support. [Policy 435](#)

4. Definitions Specific to WIC Services

- a. Applicants:** Pregnant Participants, Breastfeeding Participants, Postpartum Participants, infants and children up to 5 years old who are applying to receive WIC Services, and the breastfed infants of an Applicant
- b. Assigned Caseload:** Assigned Caseload for Tribe, which is set by the State WIC program annually and used to determine annual funding. Tribe needs to maintain Caseloads between 97 and 103% of the Assigned Caseload.
- c. Breastfeeding Participants:** Participants up to one year postpartum who breastfeed their infants.
- d. Caseload:** For any month, the sum of the actual number of pregnant Participants, Breastfeeding Participants, Postpartum Participants, infants and children who have been issued WIC benefits for the month.
- e. Certification:** The implementation of criteria and procedures to assess and document each Applicant's eligibility for WIC Services.

- f. **Documentation:** The presentation of written or electronic documents or documents in other media that substantiate statements made by an Applicant or Participant or a person applying for WIC Services on behalf of an Applicant or Participant.
- g. **Electronic Benefits Transfer (EBT):** An electronic system to deliver WIC-allowed food benefits to WIC participants using a magnetically encoded payment card (eWIC Card).
- h. **Nutrition Education:** The provision of evidence-based information and educational materials designed to improve health status, achieve positive change in dietary habits, and emphasize the relationship between nutrition, physical activity, and health, all in keeping with the individual's personal and cultural preferences and socio-economic condition and related medical conditions, including, but not limited to, homelessness and migrancy.
- i. **Nutrition Education Contact:** Individual or group education session for the provision of Nutrition Education. WIC participants need at least four (4) Nutrition Education Contacts per year, which can include online classes or remote appointments.
- j. **Nutrition Services Plan:** An annual plan developed by the Tribe and submitted to and approved by the Oregon State WIC program.
- k. **Nutrition Services and Administration (NSA) Funds:** Funding disbursed under or through this Agreement to Tribe to provide direct and indirect costs necessary to support the delivery of WIC Services. These funds can only be used for allowable WIC expenses.
- l. **Nutrition Risk:** Detrimental or abnormal nutritional condition(s) detectable by biochemical or anthropometric measurements; other documented nutritionally related medical conditions; dietary deficiencies that impair or endanger health; or conditions that predispose persons to inadequate nutritional patterns or nutritionally related medical conditions.
- m. **Participants:** Pregnant, Breastfeeding, or Postpartum Participants, infants and children who are receiving Supplemental Foods benefits under the program, and the breastfed infants of Breastfeeding Participants.
- n. **Postpartum Participants:** Participants up to six months after termination of a pregnancy.
- o. **Supplemental Foods:** Those foods containing nutrients determined to be beneficial for pregnant, Breastfeeding and Postpartum Participants, infants and children, as determined by the United States Department of Agriculture, Food and Nutrition Services for use in conjunction with the WIC Services. These foods are defined in the WIC Manual [Policy 770](#).

- p. **TWIST/WIC Data System:** The WIC Information System Tracker which is OHA's statewide automated management information system used by state and local agencies for.
- q. **WIC:** The Special Supplemental Nutrition Program for Women, Infants and Children authorized by section 17 of the [Child Nutrition Act of 1966](#), 42 U.S.C. 1786, as amended through PL105-394, and the regulations promulgated pursuant thereto, [7 CFR Ch. II, Part 246](#).

5. **Description of Farm Direct Nutrition Program (FDNP) Services**

FDNP Services provide resources in the form of fresh, nutritious, unprepared local fruits and vegetables from local authorized farmers to Participants who are nutritionally at risk. FDNP Services are also intended to expand the awareness, use of, and sales at local Farmers Markets and Farm Stands. FDNP Participants receive vouchers that can be redeemed at local Farmers Markets and Farm Stands for Eligible Foods. [Policy 1100](#)

6. **Description of Breastfeeding Peer Counseling (BFPC) Services**

The purpose of BFPC Services is to increase breastfeeding duration and exclusivity rates by providing basic breastfeeding information, encouragement, and appropriate referrals at specific intervals, primarily through a WIC Peer Counselor, to pregnant and Breastfeeding Participants who are participating in the BFPC Program. [Policy 716](#)

7. **Performance Requirements**

- a. **Procedural and Operational Requirements.** By accepting and using the Financial Assistance awarded under this Agreement and for this Program Element, Tribe agrees to conduct activities in accordance with the following requirements:
 - (1) Submit program plan, including budget, to OHA to be finalized through mutual negotiation between both entities as to content and due date. Submission shall be by electronic submission to OHA based on the guidance found online here: <https://www.oregon.gov/oha/PH/PROVIDERPARTNERRESOURCES/LOCALHEALTHDEPARTMENTRESOURCES/Pages/index.a...>
 - (2) Engage in activities as described in its program plan.
 - (3) Use funds for this Program Element in accordance with its local program budget. Modification to the local program budget may only be made with OHA approval.
 - (4) Participation in biennial on-site monitoring of the Tribe for compliance with all applicable OHA and federal requirements as described in the Oregon WIC Manual [Policy 215](#). Monitoring will be conducted in accordance with [7 CFR Part 246](#), Subpart F, §246.19(b)(1)-(6). The scope of this review is described in [Policy 215](#).
 - (5) Serve an average of greater than or equal to 97% of Assigned Caseload over any twelve (12) month period. OHA reserves the right to adjust its award of

NSA funds based on federal funding availability and agencies performance in exceeding (serving above 103%) of Assigned Caseload. [Policy 325](#)

8. Reporting Requirements.

a. Program Reporting Requirements

- (1) Annual WIC budget projection for the following calendar fiscal year. By December 31st See WIC Coordinator resources for budget template and instructions at:
<https://public.health.oregon.gov/HealthyPeopleFamilies/wic/Documents/wic-coord/local-agency-budget-form-blank.xlsx>
- (2) Nutrition Services Plan (by December 31st) and Evaluation (by January 31st)
[Policy 850](#)
- (3) Quarterly time studies, conducted in the months of January, April, July, and October by all Tribe staff. [Policy 316](#)
- (4) Quarterly general ledger of WIC expenditures [Policy 315](#), to be submitted with the Expenditure and Revenue Report.

b. General Revenue and Expense Reporting. Tribe must complete an “Oregon Health Authority Public Health Division Expenditure and Revenue Report” located in Exhibit D of this Agreement. A separate report must be filed for each applicable Program Element and any sub-element. These reports must be submitted to OHA each quarter on the following schedule:

Quarter	Due Date
Q1: January 1 – March 31	April 30
Q2: April 1 – June 30	July 31
Q3: July 1 – September 30	October 30
Q4: October 1 – December 31	January 30

In addition, Grantee must provide additional Documentation, if requested, for expenditure testing to verify allowable expenditures per WIC federal guidelines.

c. Special Reporting Requirements

Not applicable.