National WIC Association Talking Points – WIC Waiver Extensions
August 31, 2020

- USDA must take immediate action to guarantee continued state flexibility by extending all approved WIC waivers through September 30, 2021. Existing WIC waivers are set to expire on September 30 of this year.
  - WIC waivers have allowed providers to adapt service-delivery models – implementing remote appointments, curbside clinic service, and other innovative models to reduce in-person contact and assure the safety of WIC participants, clinic staff, and their families.
  - WIC waivers have also expanded the food options allowed for WIC shoppers, simplifying and streamlining the grocery store experience and assuring the availability of nutritious foods for WIC families.
  - WIC waivers assure continued COVID protection for WIC mothers, babies, and young children, their families, and WIC staff.
- USDA has authority to issue WIC waivers beyond September 30, 2020. Under the Families First Coronavirus Response Act, USDA must simply issue the waivers before September 30 of this year.
  - USDA has already exercised this authority for other federal nutrition programs, granting certain waiver flexibilities through June 30, 2021 for the school meals programs and the Child and Adult Care Food Program (CACFP).
  - The sunset language in the Families First Coronavirus Response Act – which ends authority for USDA to issue waivers on September 30 – is identical between WIC and the school meals programs.
  - Key legislators from both parties have clarified, in the school meals context, that USDA has authority to issue waivers beyond September 30 – including Senate Agriculture Committee Chairman Pat Roberts (R-KS), Senate Agriculture Committee Ranking Member Debbie Stabenow (D-MI), House Education & Labor Committee Chairman Bobby Scott (D-VA), and House Education & Labor Committee Ranking Member Virginia Foxx (R-NC).
- WIC providers, retailers, and additional stakeholders need immediate clarity about the status of waiver flexibilities.
  - Local provider agencies report that reopening clinics prematurely (by October 1) would result in a significant drop in participation, as eligible and participating families would withdraw from WIC services to protect their own health.
  - Considerable effort is needed to prepare clinics for even minimal safety precautions – including procuring personal protective equipment (PPE), modifying clinic spaces to promote social distancing, and revising policies to reduce in-person contact. Many of these safety precautions are easily undermined by the volume of WIC appointments and the difficulty of enforcing social distancing among young children.
  - Where WIC clinics have reopened, services have been disrupted as clinic staff is exposed to or contracts COVID-19. Especially in rural areas, clinics operate with a small number of staff. Premature opening of clinics could result in ongoing disruptions to WIC services.
  - Retail vendors have also adapted their WIC technology systems to register the Universal Product Codes (UPCs) of expanded WIC products, which varies by state. Continued uncertainty leaves retailers without clarity about the scope of WIC available foods, and a sudden end to the waivers would result in substantial administrative burden for retail vendors.
* USDA waivers have been effective at protecting pregnant women, infants, and young children from contracting COVID-19.

* State WIC agencies have implemented tailored solutions that best suit the needs of their communities. This may result in variations between states and variations within states. Some of the models include exclusive remote service, curbside services at clinics, and (in some rural areas) normal operations.

* The Centers for Disease Control and Prevention (CDC) continues to caution that pregnant individuals are at increased risk of severe illness and/or adverse pregnancy outcomes should they contract COVID-19.

* WIC flexibilities have not only ensured that WIC can sustain pre-pandemic services, but have assisted WIC agencies in reaching new families. Nearly three-quarters of states are reporting increased caseloads since February 2020, with several states reporting staggering increases – e.g., North Carolina (19%), California (14%), Kentucky (13%).

If you have additional questions, please reach out to Brian Dittmeier, NWA’s Senior Public Policy Counsel, at bdittmeier@nwica.org.