

A BILL

22-666

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To prohibit the Mayor from placing restrictions on the square footage, number of cashiers, or organic products for vendors of the Special Supplemental Nutrition Program for Women, Infants, and Children (“WIC”) beyond what is required by the U.S. Department of Agriculture, to require the Mayor to report on WIC spending over the past five years and challenges and recommendations for small stores to become authorized WIC vendors, to require the Department of Health to coordinate with the Department of Health Care Finance and the Department of Human Services to conduct targeted outreach to WIC-eligible families not enrolled in WIC, and to require the Department of Health to convene 4 community meetings annually to receive input regarding WIC.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Women, Infants, and Children Program Expansion Act of 2018”.

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) “Department” means the Department of Health.

(2) “Small store” means a food establishment, including a grocery store and a corner store, with a footprint of less than 10,000 square feet of store space.

(3) “SNAP” means the District’s Supplemental Nutrition Assistance Program, as established pursuant to the Food Stamp Act of 1964, approved August 31, 1964 (78 Stat. 703; 7 U.S.C. § 2011 *et seq.*).

(4) “Vendor” means an entity authorized by the Mayor to provide services to an individual receiving benefits pursuant to his or her enrollment in WIC.

(5) “WIC” means the District’s Special Supplemental Nutrition Program for Women, Infants and Children, as established pursuant to section 17 of the Child Nutrition Act of 1966, approved September 26, 1972 (86 Stat. 729; 42 U.S.C. § 1786).

Sec. 3. Expanding Access to WIC.

(a) Beginning January 1, 2019, the Mayor, in authorizing vendors to participate in WIC, shall not:

(1) Require vendors to maintain a minimum square footage of store space beyond that required by the U.S. Department of Agriculture;

(2) Require vendors to maintain a minimum number of cashiers beyond that required by the U.S. Department of Agriculture; or

(3) Prohibit vendors from selling organic products that are permitted by the U.S. Department of Agriculture.

(c) Within one year after the effective date of the Women, Infants, and Children Program Expansion Act of 2018, as approved by the Committee on Health on November 19, 2018 (Committee print of Bill 22-666), the Mayor, or a contractor selected by the Mayor, shall submit a report to the Council that shall include:

48 (1) An assessment of the use of WIC funds from Fiscal Year 2013 through Fiscal
49 Year 2018, including a notation as to whether the District returned federal funds for WIC and
50 whether the District applied for supplemental federal funds for WIC; and

51 (2) A plan to increase the number of small stores serving as vendors, including an
52 identification of small store technical assistance requirements, outreach strategies, and any
53 legislative or regulatory barriers preventing small stores from becoming vendors.

54 (d) The Department, in coordination with the Department of Health Care Finance and the
55 Department of Human Services, shall identify children between birth and 5 years of age who are
56 enrolled in either Medicaid or SNAP, but not WIC, and provide guidance to the parents or
57 caregivers of such children regarding the WIC application process.

58 (e) The Department of Health shall provide technical assistance to small stores in the
59 District to assist them in meeting the requirements to become vendors.

60 (f) Within one year after the effective date of the Women, Infants, and Children Program
61 Expansion Act of 2018, as approved by the Committee on Health on November 19, 2018
62 (Committee print of Bill 22-666), and on an annual basis thereafter, the Department shall host 4
63 community meetings open to the public to receive input on strategies to increase participation in
64 WIC and improve the experience of individuals enrolled in WIC, and shall notify the public
65 about each meeting on its website at least one month before the meeting is held.

68 Sec. 4. Applicability.

69 (a) This act shall apply upon the date of inclusion of its fiscal effect in an approved
70 budget and financial plan.

71 (b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in
72 an approved budget and financial plan, and provide notice to the Budget Director of the Council
73 of the certification.

74 (c)(1) The Budget Director shall cause the notice of the certification to be published in
75 the District of Columbia Register.

76 (2) The date of publication of the notice of the certification shall not affect the
77 applicability of this act.

78 Sec. 54. Fiscal impact statement.

79 The Council adopts the fiscal impact statement in the committee report as the fiscal
80 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
81 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

82 Sec. 65. Effective date.

83 This act shall take effect following approval by the Mayor (or in the event of veto by the
84 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
85 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
86 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
87 Columbia Register.