WIC: USDA Waivers in Response to COVID-19

The U.S. Department of Agriculture (USDA) has enabled agencies of the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) to request waivers that grant flexibilities and contingencies, based on the Families First Coronavirus Response Act. These waivers support WIC agencies in maintaining safe access to food benefits, nutrition and breastfeeding support, and referrals to services for women, infants, and children during the COVID-19 public health emergency. Below is a list of the waivers.

- **Physical Presence Waiver**: Allows participants to enroll and re-enroll in WIC without visiting a WIC clinic. This includes the ability to defer anthropomorphic and bloodwork requirements necessary to determine nutritional risk for the period of the physical presence waiver. ([https://www.fns.usda.gov/disaster/pandemic/covid-19/wic-physical-presence-waiver](https://www.fns.usda.gov/disaster/pandemic/covid-19/wic-physical-presence-waiver))


- **Food Package Substitution Waivers**: Allows WIC agencies to make appropriate substitutions for unavailable WIC food package items. Allows State agencies to change approved-foods lists as needed. ([https://www.fns.usda.gov/wic/food-package-substitution-waiver](https://www.fns.usda.gov/wic/food-package-substitution-waiver))

- **Minimum Stocking Requirements Waiver**: Provides authorized WIC vendors additional flexibilities in the quantity and type of WIC-approved foods that vendors must stock. ([https://www.fns.usda.gov/wic/covid-19/wic-minimum-stock-waiver](https://www.fns.usda.gov/wic/covid-19/wic-minimum-stock-waiver))

- **Extended Benefits Issuance Waiver**: Allows WIC agencies to issue up to four months of benefits to participants at a time, which reduces the need for contact with WIC staff. ([https://www.fns.usda.gov/wic/covid-19/extended-benefits-issuance-waivers](https://www.fns.usda.gov/wic/covid-19/extended-benefits-issuance-waivers))

- **Separation of Duties Waiver**: Allows for a single WIC staff member to determine eligibility for all certification criteria and issue food benefits to a participant, whereas multiple staff members were previously required.

- **Compliance Investigations Waiver**: Allows for cessation of onsite vendor monitoring reviews that investigate compliance throughout the waiver period, but does not waive the requirement to investigate a minimum of 5 percent of WIC-authorized vendors each fiscal year.

- **Routine Monitoring**: Allows for cessation of onsite routine monitoring visits to vendors throughout the waiver period, but does not waive the requirement for State agencies to conduct routine monitoring visits on a minimum of 5 percent of their WIC-authorized vendors each fiscal year.

- **Extended Certification Waiver**: Allows WIC agencies to extend certification periods for certain participants beyond the existing regulatory limit of 30 days.
- **Non-Retail Two-Month Issuance Waiver**: Allows WIC agencies to distribute a two-month supply of non-retail, supplemental foods (such as exempt infant formula) instead of the previously mandated one-month limit.

- **Medical Documentation Waiver**: Allows WIC agencies to extend existing benefits to supplemental foods for qualifying conditions beyond the previous two-month time limit without additional medical documentation.

- **Local Agency Monitoring Waiver**: Allows State agencies to conduct virtual local agency monitoring reviews via a desk audit or other means.

- **Vendor Pre-Authorization Waiver**: Allows State agencies to temporarily authorize vendors without conducting an onsite visit prior to or at the time of the vendor’s initial authorization by postponing the onsite visit to within 90 days of state and local social distancing orders being lifted.

- **Vendor Agreement Extension**: Allows State agencies to postpone some vendor reauthorization actions by extending expiring vendor agreements for a period of up to one year beyond the current three-year time limit.

- **Farmers’ Market Nutrition Program Training**: Removes the requirement to conduct face-to-face initial training for farmers and farmers’ market managers; allows for training to be conducted remotely via telephone, video conference, or web-based training.

The USDA Food and Nutrition Service (FNS) is providing up to $500 million in additional funding available through September 30, 2021, to cover increases in WIC participation, and is extending all waiver approvals through June 30, 2020, for WIC agencies that choose to continue their current waivers.

**Take Action**

- Advocates, other partners, and State agency staff can work in partnership to make sure WIC continues to reach and serve families. Please see FRAC’s [Maximize WIC’s Role in Supporting Health, Food Security, and Safety During the COVID 19 Pandemic: Opportunities for Action](https://frac.org/COVID-19-updates).


For updates and additional information on COVID-19, please see FRAC’s website ([https://frac.org/COVID-19-updates](https://frac.org/COVID-19-updates)).