

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To prohibit the Mayor from imposing certain restrictions on vendors participating in the District’s Special Supplemental Nutrition Program for Women, Infants, and Children (“WIC”), to require the Mayor, or a contractor selected by the Mayor, to submit a report to the Council that includes an assessment of WIC spending over the past 5 fiscal years and a plan to increase the number of small stores serving as 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.

(b) Within one year after the applicability date of this act, the Mayor, or a contractor selected by the Mayor, shall submit a report to the Council that includes:

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

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

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

(d) The Department of Health shall provide technical assistance to small stores to assist them in meeting the District's requirements for registration as vendors.

(e) Within one year after the applicability date of this act, and on an annual basis thereafter, the Department shall host 4 community meetings open to the public to receive input on strategies to increase participation in WIC and improve the experience of individuals enrolled in WIC. The Department shall notify the public about each meeting on its website at least one month before the meeting is held.

#### Sec. 4. Applicability.

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

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

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

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

Sec. 5. Fiscal impact statement.

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

Sec. 6. Effective date.

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

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia