

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES
DIVISION OF PUBLIC ASSISTANCE

SEAN PARNELL, GOVERNOR
FAMILY NUTRITION PROGRAMS
-- JUNEAU
130 Seward Street, Suite 508
P.O. BOX 110612
JUNEAU, ALASKA 99811-0612
PHONE: (907) 465-3100
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February 6, 2012

Dear WIC Grantees,

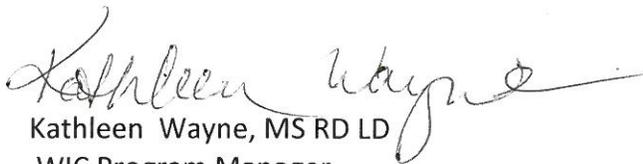
This letter notifies WIC grantees of an update to the mandatory program compliance requirements as outlined in LA Memo 12-3 Notice of Program Compliance WIC Assurances. These new requirements are hereby incorporated into the FY 12 WIC grant agreement.

Attached are copies of the FY 12 Appendix H and LA Memo 12-03 Notification of Mandatory Program Compliance for your reference.

If you or your WIC staff have questions about this change, please contact:

Kathleen Wayne
WIC Program Manager
(907) 465-8636 or Kathleen.Wayne@alaska.gov

Sincerely,


Kathleen Wayne, MS RD LD
WIC Program Manager

Attachments:

Appendix H

WIC LA Memo 12-03 Notification of Mandatory Program Compliance

Alaska WIC Grantee Assurances 2012

Appendix H

WIC Assurances are hereby incorporated into the grant agreement and by signing the grant agreement, the Grantee guarantees compliance with all terms of the WIC Assurances.

1. Must comply with all fiscal and operational requirements prescribed by the state agency pursuant to 7 CFR 246, 7 CFR part 3016, and Food and Nutrition Service (FNS) State Plan, Policy and Procedure Manual guidelines and instructions, and provides on a timely basis to the state agency all required information regarding fiscal and program information. The Policy and Procedure Manual can be found at <http://www.hss.state.ak.us/dpa/programs/nutri/WIC/Administration/AdminPandP-Manuals.htm>.
2. Must comply with all terms and conditions of Section XII of FCS Instruction 113-2 (Rev. 1). Hereby agreeing to comply with Title IV of the Civil Rights Act, Civil Rights Restoration Act of 1987- Race, color & national origin, Title IX of Education Amendments, USDA regulations at 7 CFR 15 et seq., USDA regulations at 7 CFR 16 et. seq. (faith based), FNS Handbook 113-1 (11/8/2005) including Appendix D; all provisions required by implementing regulations of the Department of Agriculture, Department of Justice Enforcement Guidelines, 28 CFR 50.3 and 42 and FNS directives and guidelines to the effect that, no person shall on the grounds of race, color, national origin, sex, age or handicap, be excluded from participation in, be denied benefits or otherwise be subjected to discrimination under any program or activity of r which the program applicant receives Federal financial assistance from FNS. Link to electronic Federal regulations page: <http://ecfr.gpoaccess.gov/cgi/t/text/text-indx?c=ecfr&tpl=%2Findex.tpl>.
3. Must comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

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Reply to: **All Local Agencies Memorandum No-12-03**

Date: February 3, 2012

TO: X-LA WIC Coordinators
X-Satellites

FROM: Kathleen Wayne *KW*
State WIC Manager

Information- X

Policy- x

Action-x

Routine (email and hard copy) - X

Urgent (fax and hard copy)-

SUBJECT: Notification of Mandatory Program Compliance

USDA State Technical Assistance Review (STAR)--

Video-Certification---During the 2009 STAR the AK WIC Program was cited as non-compliant with federal regulations requiring all WIC applicants to be physically present at certifications. CFR 246.7 (o) (1) *Are applicants required to be physically present at certification?—(1) In general. The State or local agency must require all applicants to be physically present at each WIC certification.*

WR USDA stated in the FY 09 audit that they may withhold 100% of our program funds if it is determined the State Agency has failed to comply with its correction action plan, or any other requirements, as per CFR 246.19(a)(2).

The WIC Program Office has negotiated with WR USDA to require 20% of clients who cannot be seen in-person at certification, must be certified through video means instead of 100% of those clients. The State WIC Program Office is offering program funds, as necessary, to support additional grantee infrastructure costs to ensure compliance with the physical presence requirement.

In a subsequent email from USDA regarding the requirement for video-certifications to include nutrition assessment and counseling, it was stated, "we (USDA) believe that the quality of service suffers when rural participants in Alaska are handled by mail or phone." Alaska WIC will also be required to conduct video nutrition assessment and counseling for these same 20% of remote clients.

Compliance with Nutrition Education Requirements--During the FY 11 STAR the Western Regional Office of USDA cited that Alaska WIC is out of compliance with the full implementation of 7 CFR 246.11 Nutrition Education. The STAR cited, "Significant retraining needs to be provided to local agency staff with regard to nutrition risk assignment, food package assignment, and medical documentation to ensure proper assignments are made and required documentation is maintained.

The State needs to revise its nutrition education policies and develop a training plan to ensure local agency staff provides effective nutrition education through accepted media that is relevant to each participant's individual needs as identified through the nutrition assessment.

State's Corrective Action Plan-- Based on feedback from WIC Local Agencies, the State WIC Program Office is implementing the following program requirements:

Video-Certification Requirements--

By March 15, 2012, Alaska WIC grantees who serve clients that they do not see in-person will be required to certify twenty-percent (20) of those clients by video methods.

Allowed Systems for Virtual Certification—Alaska WIC grantees may use any of the following means to conduct virtual certification.

PolyCom / AFCAN Carts

WebX or Go To Meetings

OWL <http://www.library.state.ak.us/dev/owl.html>

Other type of secure virtual system

Virtual Certification Service Delivery Plan —By February 29, 2012 WIC grantees must submit to the State a plan of how they will provide virtual certification services. The plan must include:

Number of WIC participants that are not see in-person during certification of eligibility determination.

Virtual certification system used by grantee

Budget—the majority of WIC grantees serving remote clients have access to existing Polycom or other conferencing systems within their organization. For these organizations, we anticipate that the process to implement certifications will have little to no additional infrastructure costs. However, if additional costs are identified that cannot be covered through existing program resources, please submit a budget itemizing and explaining the need for the additional costs.

Compliance with Nutrition Education Requirements—

By May 1, all WIC Grantees must fully implement the following WIC nutrition education requirements:

Nutrition Education and Counseling-- all WIC CPAs must implement Participant Centered Education (PCE) skills during nutrition education and counseling client contacts, ensure that all nutrition education contacts are interactive, and that nutrition education materials are targeted to client's nutrition risks. WIC LAs must ensure that CPAs receive annual nutrition education and counseling training, are regularly monitored for demonstrating correct nutrition education and counseling skills, and documentation for training and monitoring requirements is kept on file for review during biennial-Management Evaluations.

Nutrition Risk Assessment and SOAP Notes—all WIC CPAs must assign correct nutrition risk codes and complete SOAP notes for all WIC clients. WIC LAs must ensure that CPAs receive annual PCE training, perform regular client charts audits to ensure correct risk codes are assigned and complete SOAP notes are written, and documentation for training and monitoring requirements is kept on file for review during biennial-Management Evaluations.

Non-Compliance—Any grantee who does not comply with these program requirements may have their grant payments withheld until the grantee comes into compliance with this or any other program requirement, or the grantee may be terminated.

Resources—Local Agencies should use the following resources when implementing these program requirements.

- AK WIC Nutrition Care Plans---
<http://hss.state.ak.us/dpa/programs/nutri/downloads/LocalAgency/2010/AlaskaWICNutritonCarePlanManual-combined.pdf>
- UAA Training Modules ---Nutrition Assessment and “Documentation and Charting” Presentation from Spring 2011 WIC Coordinator’s meeting
- Participant Center Services PowerPoint—attached to Feb 3 WIC Friday Update and will be posted to AK WIC website.

