

## Funding Shortage & Participant Waiting Lists

### Policy

#### USDA Federal Regulations:

(ii) If a State agency experiences funding shortages, it may be necessary to discontinue program benefits to some certified participants. The State agency must explore new alternatives (such as elimination of new certifications) before taking such action. In discontinuing benefits, the State agency will affect the least possible number of participants and those whose nutritional and health status would be least impaired by the action. When a State agency elects to discontinue benefits due to insufficient funds, it will not enroll new participants during that period. The State may discontinue benefits by:

- (A) Disqualifying a group of participants; and/or
- (B) Withholding benefits from a group with the expectation of providing benefits again when funds are available.

#### USDA Federal Regulations:

(1) *Waiting lists.* When the local agency is serving its maximum caseload, the local agency shall maintain a waiting list of individuals who visit the local agency to express interest in receiving Program benefits and who are likely to be served. However, in no case shall an applicant who requests placement on the waiting list be denied inclusion. State agencies may establish a policy which permits or requires local agencies to accept telephone requests for placement on the waiting list. The waiting list shall include the person's name, address or phone number, status (e.g., pregnant, breastfeeding, age of applicant), and the date he or she was placed on the waiting list. Individuals shall be notified of their placement on a waiting list within 20 days after they visit the local agency during clinic office hours to request Program benefits. For those State agencies establishing procedures to accept telephone requests for placement on a waiting list, individuals shall be notified of their placement on a waiting list within 20 days after contacting the local agency by phone. The competent professional authority shall apply the participant priority system as specified in paragraph (e)(4) of this section to the waiting list to ensure that the highest priority persons become Program participants first when caseload slots become available.

#### USDA Federal Regulations:

(4) *Nutritional risk priority system.* The competent professional authority shall fill vacancies which occur after a local agency has reached its maximum participation level by applying the following participant priority system to persons on the local agency's waiting list. Priorities I through VI shall be utilized in all States. The State agency may, at its discretion, expand the priority system to include Priority VII. The State agency may set income or other sub-priority levels within any of these seven priority levels. The State agency may expand Priority III, IV, or V to include high-risk postpartum women. The State agency may place pregnant or breastfeeding women and infants who are at nutritional risk solely because of homelessness or migrancy in Priority IV; children who are at nutritional risk solely because of homelessness or migrancy in Priority V; and postpartum women who are at nutritional risk solely because of

homelessness or migrancy in Priority VI, OR, the State agency may place pregnant, breastfeeding or postpartum women, infants, and children who are at nutritional risk solely because of homelessness or migrancy in Priority VII.

- (i) **Priority I.** Pregnant women, breastfeeding women and infants at nutritional risk as demonstrated by hematological or anthropometric measurements, or other documented nutritionally related medical conditions which demonstrate the need for supplemental foods.
- (ii) **Priority II.** Except those infants who qualify for Priority I, infant up to six months of age of Program participants who participated during pregnancy, and infants up to six months of age born of women who were not Program participants during pregnancy but whose medical records document that they were at nutritional risk during pregnancy due to nutritional conditions detectable by biochemical or anthropometric measurements or other documented nutritionally related medical conditions which demonstrated the persons' need for supplemental foods
- (iii) **Priority III.** Children at nutritional risk as demonstrated by hematological or anthropometric measurements or other documented medical conditions which demonstrate the child's need for supplemental foods.
- (iv) **Priority IV.** Pregnant women, breastfeeding women, and infants at nutritional risk because of an inadequate dietary pattern.
- (v) **Priority V.** Children at nutritional risk because of an inadequate dietary pattern.
- (vi) **Priority VI.** Postpartum women at nutritional risk.
- (vii) **Priority VII.** Individuals certified for WIC solely due to homelessness or migrancy and, at State agency option, in accordance with the provisions of paragraph (e)(1)(vi) of this section, previously certified participants who might regress in nutritional status without continued provision of supplemental foods.

**Iowa Administrative Code:**

641 – 73.22(135) Caseload management. The statewide caseload (number of participants) shall be managed by the department in accord with funding limitations and federal regulations or directives. The federally established priority categories of participants shall be followed when limitation of services is necessary in accord with 7 CFR 246.7(d)(3). In addition, the following rules shall apply:

73.22 (1) A contract agency shall maintain a waiting list only when the department determines that sufficient funds are not available to meet demand.

73.22 (2) When a waiting list has been authorized, contract agencies shall certify applicants of potential highest priority first (e.g., women and infants) and potential lower priority second (children). Within these priority groups, applicants shall be offered certification appointments in the order of the placement list.

73.22 (3) When insufficient funds are available to serve all priority categories, the department shall provide instructions to contract agencies regarding which priority categories may continue to be certified.

73.22 (4) When necessitated by federal funding restrictions, the department reserves the right to terminate or temporarily suspend benefits for categories of participants prior to the end of their certification period. Each participant shall be advised in writing 15 days before the effective date of the reasons for the action and the right to fair hearing.

## Authority

**USDA Federal Regulations:** 7 CFR 246.7 (h)(3)(ii)

**USDA Federal Regulations:** 7 CFR 246.7 (f)(1)

**USDA Federal Regulations:** 7 CFR 246.7 (e)(4)

**Iowa Administrative Code:** 641 – 73.22 (135)

## Procedures

A funding shortage could refer to food funding, Nutrition Service and Administrative (NSA) funding, or both. The funding shortage could be a result of, but is not limited to the following: a reduction in funding, increased costs, increased participation, or a government shutdown that could result in local agency contract suspensions and termination or suspension of participant benefits.

In the event of a funding shortage, the state WIC office will provide guidance consistent with the Iowa Department of Public Health (IDPH) General Conditions, Contract Conditions, WIC Policies and Procedures, and United States Department of Agriculture (USDA) guidance as necessary.

Participants must be notified before termination or suspension due to no available funding or a funding shortage. Notification procedures will follow USDA guidance. The state WIC office will identify the categories of participants whose benefits will be suspended or terminated.

## Maximum Caseload

When maximum caseload is reached statewide, the State WIC Office will direct local agencies to implement the following measures to maintain caseload:

- Place new certifications on a waiting list
- If necessary, eliminate services to Priority VI participants
- Then, if necessary, eliminate services to a sub-group of Priority V participants.  
Subgroups are generally based on age, but could be based on other factors as determined by the state WIC office.

Once these measures are done, then services would continue to be offered for other priority classes as follows:

- Current Priority I through IV participants are recertified when due.
- Current Priority V children are recertified as caseload permits.

## Implementing a Waiting List

The State WIC Office will contact local agencies when a waiting list will be implemented. A waiting list may include:

- New certifications
- If necessary, Priority VI participants,
- If necessary, a sub-group of Priority V participants

## Adding Participants Back to the Program

The state WIC office will notify agencies when participants from waiting lists can be added to

the program. Add participants from the highest priority class first. For example, if caseload had been limited to Priorities I, II, and III, add participants in this order:

- Priority IV
- Add Priority V children based on subgroups. If age is the basis for subgroups, add the youngest children first
- Priority VI
- New certifications

## **Best Practices**

Determining the criteria for placement on the waiting list will be a joint decision between the State WIC Office and local WIC agencies.