

**MEMORANDUM OF UNDERSTANDING (MOU) FOR INFORMATION SHARING
BETWEEN THE WIC STATE AGENCY
AND
THE FOOD AND NUTRITION SERVICE (FNS)**

In order to promote cooperation and reduce vendor/retailer abuse in both the Supplemental Nutrition Assistance Program (SNAP) and the Special Supplemental Nutrition Program for Women, Infants and Children (WIC), the WIC State Agency, the Food and Nutrition Service (FNS) Special Nutrition Program (SNP) and Retailer Operations Division (ROD) Investigative Analysis Branch (IAB) enter into a Memorandum of Understanding. The undersigned parties agree to the following:

I. Responsibilities of FNS ROD IAB

- A. Provide the WIC State Agency with the name, title, and address of the FNS ROD IAB office where information on violative WIC vendors should be sent.**

Name/Title: Sanela Ocanovic, Section Chief
USDA, Food and Nutrition Service

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- B. Provide the WIC State Agency with a copy of the notice of determination sent to retailers that have either been disqualified or imposed a civil money penalty in lieu of disqualification. This information must include the name of the store owner, the full name of the store, address, FNS authorization number, the length of disqualification or the length of the disqualification corresponding to the violation for which the civil money penalty was assessed and the effective date of the sanction. This notification must be provided within 15 days after the retailer's right to appeal a SNAP sanction has either expired or been exhausted.**
- C. Include the following statement on charge letters, letters of determination and final notices: "If you are an authorized vendor under the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), you may be disqualified from the WIC Program as a result of your disqualification from the SNAP. In accordance with the current law governing both the SNAP and the WIC Program, such a WIC Program disqualification is not subject to administrative or judicial review under the WIC Program. A civil money penalty (CMP) from the Supplemental Nutrition Assistance Program may also result in a WIC Program disqualification, but such a disqualification would be subject to administrative and/or judicial review."**

- D. Provide the WIC State Agency, upon request, with information on specific SNAP authorized retailers that is not available to the WIC State Agency through the FNS Store Tracking and Redemption Subsystem (STARS) database.

II. Responsibilities of the FNS SNP

- A. Facilitate communications between the WIC State Agency and the appropriate FNS ROD IAB office.
- B. Monitor the effectiveness of this memorandum of understanding.

III. Responsibilities of the WIC State Agency

- A. Provide FNS ROD IAB with the name, title, and address of the WIC State Agency where all information on violative SNAP retailers should be sent.

Name/Title: Kenny Kane / Vendor Management Coordinator
Todd Erskine / Program Integrity Coordinator

Agency: State of Iowa, Iowa Department of Public Health

Address: Lucas State Office Building
321 E. 12th St., Des Moines, IA 50319

Telephone: Kenny Kane - 515-281-6205, Todd Erskine - 515-725-4139

Fax: 515-281-4913

E-mail: Kenny Kane: Kenny.Kane@idph.iowa.gov
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- B. Provide the FNS ROD IAB office with a copy of the notice of adverse action and information on vendors it has either disqualified or imposed a civil money penalty in lieu of disqualification for any of the violations listed in Section 246.12(1)(1)(i) through (1)(1)(iv) of the regulations. This information must include the name of the vendor, address, identification number, the type of violation(s), and the length of disqualification or the length of the disqualification corresponding to the violation for which the civil money penalty was assessed. This information must be provided within 15 days after the vendor's opportunity to file for a WIC administrative review has expired or all of the vendor's WIC administrative reviews have been completed.
- C. Include on all disqualification notices to WIC vendors the following statement:
"This disqualification from WIC may result in disqualification as a retailer in the Supplemental Nutrition Assistance Program (SNAP) per Section 278.6(e)(8) of the SNAP regulations. Such disqualification may not be subject to administrative or judicial review under the Supplemental Nutrition Assistance Program."

IV. The undersigned parties further mutually agree that:

- A. Information exchanged in accordance with this agreement must be disclosed and used only in direct connection with the administration and enforcement of WIC and

SNAP regulations and procedures, except that such information must be disclosed to the Comptroller General of the United States and other authorized officials for audit and examination authorized by law. Under no circumstances should such information be disclosed to any State personnel who are not directly involved in the management of vendors in the WIC Program, other public or private agencies, or to private citizens or enterprises not directly involved in State agency vendor management. The protected information includes all information exchanged about retailers/vendors, as well as about investigations of retailers/vendors, such as the identities of investigators and investigative aides.

- B. Information received by the WIC State agency on SNAP investigations must not be disclosed to local agencies unless specific prior approval has been given by FNS ROD IAB.
- C. Information exchanged in accordance with this agreement is subject to the Federal Freedom of Information Act.
- D. Any of the offices listed below may terminate this MOU with 30 days advance notice to the other party. This MOU will remain in effect until such notice is given.

Brenda Polson
Director
WIC State Agency
Division Director, Health Promotion &
Chronic Disease Prevention

12.14.17
Date

Andi Fink
Branch Chief
Investigative Analysis Branch
FNS Retailer Operations Division

09/28/2017
Date

Sandra Cuta
Branch Chief
Women, Infants and Children Program
FNS Special Nutrition Program

12/19/17
Date