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State of California—Health and Human Services Agency  
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GAVIN NEWSOM  
Governor

September 30, 2020

## NOTICE OF TEMPORARY REGULATORY CHANGES

### Date of Adoption

The temporary changes to the regulations described below are effective immediately. These temporary regulations will remain in effect until 30 days after the end of the nationally-declared public health emergency under section 319 of the Public Health Service Act (42 U.S.C. 247d), the termination of the State of Emergency declared by the Governor of California on March 4, 2020, the rescission of Executive Order N-40-20, or the amendment or termination of these temporary changes by the Director of the California Department of Public Health, whichever occurs sooner.

### Authority

The California Department of Public Health (CDPH) is temporarily amending regulations for the Women, Infants, and Children (WIC) Program, pursuant to:

- (1) [Executive Order N-40-20](#), which allows temporary changes to CDPH's regulations governing WIC certification and eligibility, food delivery systems, authorized supplemental foods; and
- (2) Waivers approved by the United States Department of Agriculture Food and Nutrition Service (USDA/FNS), as posted on the [USDA/FNS website](#) and/or the California [WIC Program website](#) and extended pursuant to [WIC Policy Memorandum #2020-6](#), which provide program flexibilities in response to the significant impacts of COVID-19 on WIC program services.

### Applicability

The temporary changes described herein apply only to those WIC local agencies, also known as WIC clinics, that are unable to resume in-person services at the levels provided prior to COVID-19 epidemic due to applicable health, safety, or emergency orders or similar authorities that make it impossible or impracticable for the WIC local agency to resume normal, in-person services.



CDPH Women, Infants and Children (WIC) Division  
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## **Temporary Regulatory Changes**

CDPH is making temporary changes to California Code of Regulations, Title 22, Division 2, Subdivision 6, Chapter 6, Article 2, as follows:

### **Section 40675 Processing Standards**

The date of an applicant's "initial visit to the local agency" in section 40675, subdivisions (a)(2)(A) and (B), shall be either the date of an applicant's in-person visit to the local agency or the date of an applicant's phone call to the local agency to request program benefits.

### **Section 40679 Actions Affecting Participation in Mid-Certification**

Section 40679, subdivision (a)(3), which requires local agencies to disqualify a participant who fails to pick up food instruments or keep scheduled appointments for a period of two consecutive months shall be suspended.

### **Questions and Additional Information:**

If you have any questions, please contact CDPH at [WICregulations@cdph.ca.gov](mailto:WICregulations@cdph.ca.gov).

A handwritten signature in blue ink, appearing to read "C. Lopez", with a long horizontal flourish extending to the right.

Catherine Lopez, M.Ed.  
Assistant Division Chief  
Women, Infants and Children Division  
California Department of Public Health