



**United States
Department of
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Food and
Nutrition
Service

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SUBJECT: Guidance for Providing Quality WIC Nutrition Services during Extended Certification Periods

TO: Regional Directors
Supplemental Food Programs
All Regions

WIC State Agency Directors
All Regions

PURPOSE

The purpose of this guidance is to assist State agencies that administer the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in implementing the option to extend WIC certification periods for longer than 6 months for eligible infants, children and breastfeeding women. The Food and Nutrition Service (FNS) has received several requests for guidance regarding the State Plan amendment required to implement the one-year certification option for children that was included in the Healthy, Hunger-Free Kids Act of 2010, Public Law 111-296. As a result, this guidance has been developed to clarify the nutrition services requirements associated with the option to extend WIC certification periods for all eligible categories of participants, since the same requirements apply to all eligible categories.

BACKGROUND

The certification periods for each participant category are described in Section 246.7(g) of the Federal WIC regulations. State agencies now have the option to allow extended WIC certification periods for: infants under six months of age up to the last day of the month in which the infant turns one year old; breastfeeding women up to the last day of the month in which her infant turns one year old, or until the woman ceases breastfeeding, whichever occurs first; and (soon to be included in regulations) children for up to one year ending with the last day of the month in which a child reaches his/her fifth birthday, if the State agency ensures that health care and nutrition services are not diminished. Please note the option to allow an extended certification period does not apply to infants initially certified at 6 months of age or older (but still in the infant category).

It is important to clarify that other regulatory requirements such as anemia screening, anthropometric measurements, immunization screening, referral services, and mid-certification actions (e.g., income reassessment as per Section 246.7(h)), etc., remain unchanged with extended certification periods. The timing of these activities/services may change (i.e., they may occur at visits other than certification appointments, e.g., nutrition education contacts or appointments for other clinic services), but it is still required that they be performed/provided.

An extended certification period for the above-mentioned participant categories is a WIC State agency option. A State agency may continue with 6-month certification periods for all or some of the eligible categories of participants. In addition, a State agency may choose to create subcategories of participants who receive 6-month or extended certification periods. For example, a State agency may choose to maintain 6-month certifications for children 1-3 years of age, and allow 12-month certifications for children 3 and older. A State agency may also choose to maintain 6-month certifications for participants with certain nutrition risk conditions.

LEGISLATIVE INTENT OF EXTENDED CERTIFICATION PERIODS

As reflected in the legislative history that incorporated the option to extend WIC participant certification periods, the intent of this option has been clear: to reduce the administrative burden on both WIC staff and participants (e.g., income eligibility determination, residency documentation) while maintaining the quality nutrition services (nutrition assessment and education, including breastfeeding promotion and support, food package tailoring, and referral services) provided by WIC. Extended certification periods have not been provided as a cost saving measure (although some programs may realize cost savings), but rather to increase time spent with participants on providing nutrition services. It is the combination of WIC supplemental foods *and* nutrition services that is critical to achieving the mission of the Program - to prevent nutrition-related health problems and to improve the health status of its participants.

The extended certification period for infants was proposed as an option in 1983 (Proposed Rule, 48 FR 31502, July 8, 1983) and subsequently codified in the Special Supplemental Food Program for Women, Infants and Children Final Rule (50 FR 6108), published February 13, 1985. The preamble (page 15) to the 1985 Final Rule discusses the Department's concern that lengthening the certification period could result in "jeopardizing the ongoing health care for infants." The Department incorporated into the 1985 Final Rule a commenter's suggestion to "...include a mid-certification assessment" for infants certified up to his/her first birthday. Thus, Section 246.7(g)(iv) of the Federal WIC regulations states: "...The State agency may permit its local agencies to certify an infant under six months of age up to the last day of the month in which the infant turns 1 year old, provided the quality and accessibility of health care services are not diminished." In addition, the 1985 Final Rule revised Section 246.11(e)(3), *Participant Contacts* to require that quarterly nutrition

education contacts be made available for infants certified for longer than six months to ensure that nutrition education was provided at the same rate as a 6-month certification.

More recently, the Child Nutrition and WIC Reauthorization Act of 2004, Public Law 108-265, allowed an extended certification period for breastfeeding women. This option was codified in the Miscellaneous Provisions Final Rule (71 FR 56708), published September 27, 2006. The Senate Report 108-279 (from the Committee on Agriculture, Nutrition, and Forestry) accompanying P.L. 108-265, describes the intent of the provision:

“... to diminish the administrative duties associated with shorter certification periods. Accordingly, in extending certification periods for breastfeeding women, the Committee expects the Secretary to ensure that there will be no decrease in the health and nutrition education services that the participants in the Special Supplemental Nutrition Program for Women, Infants and Children would otherwise have received during a shorter certification period and that participants will continue to receive the full benefit of supportive services available through the program.”

Finally, the Healthy, Hunger-Free Kids Act of 2010, P.L. 111-296, allows WIC State agencies the option to certify children for one-year time periods if: “...the State electing the option ...ensures that participant children receive required health and nutrition assessments.” The intent of this legislation is to allow for better nutrition services coordination; increase opportunities for nutrition interventions; and provide for more counseling time and time with high-risk participants. The extended certification period for children is in the process of being added to WIC Regulations via the Implementation of the Nondiscretionary, Non-Electronic Benefits Transfer-Related Provisions of P.L. 111-296 Final Rule, projected to be published in the fall of 2011.

EXPECTATIONS FOR ENSURING THAT HEALTH CARE AND NUTRITION SERVICES ARE NOT DIMINISHED

The nutrition services provided by WIC encompass not only *what* WIC offers to participants, but also *how* WIC offers its services. Delivering quality nutrition services to WIC participants and to their parents/caregivers distinguishes WIC as an exemplary nutrition assistance program. It is the only FNS nutrition assistance program with legislative and regulatory requirements to provide nutrition services. FNS has developed a variety of resources, e.g., Nutrition Services Standards, Value Enhanced Nutrition Assessment (VENA), WIC Program Nutrition Education Guidance, Breastfeeding Food Package Guidance (all of which can be accessed at WIC Works Resource System: <http://wicworks.nal.usda.gov/>), that serve as the collective basis for the delivery of quality nutrition services.

To comply with the legislative intent of the extended certification periods, WIC State agencies must continue to provide the nutrition services a participant would otherwise receive during a shorter certification period. To ensure that health and nutrition services are not

diminished when participants are certified for longer than 6 months, the State agency must include in its State Plan a description of the following:

Nutrition Assessment

As described in VENA, the WIC nutrition assessment is the first step in quality nutrition services and serves as the foundation on which other nutrition services are planned and provided. To that end, at least one time during the certification period (in addition to the nutrition assessment performed at certification), a nutrition assessment shall be made available to (i.e., must be scheduled for) participants with certification periods of longer than 6 months, to include the following:

- **Anthropometric Measurements** – With the continued rise in overweight and obesity rates among children and adults, it is very important to monitor growth and weight status during extended certification periods. Participant height and weight measurements should be collected and an assessment of growth/weight (e.g. BMI calculation, growth chart plotting) performed. Referral data (less than 60 days old) are acceptable.
- **Bloodwork** (as necessary) - In most cases the WIC bloodwork periodicity schedule (see FNS WIC Policy Memorandum #2001-2: WIC Bloodwork Requirements) will coincide with the extended certification periods. However, there are two instances that require the collection of bloodwork data during the extended certification period:
 - Children 12-24 Months of Age
The Centers for Disease Control and Prevention (CDC) recommend that the infant anemia screen be conducted between 9-12 months of age. For children over 1 year, CDC recommends that children have a blood test 6 months after the infant test, i.e., around 15 to 18 months of age. Pediatric health authorities recommend a blood test during the 15- to 18-month time period because this is the most vulnerable time for children to manifest iron deficiency anemia. State agencies are expected to make every effort to coordinate the scheduling of bloodwork for children between 12 and 24 months of age within the 15- to 18-month timeframe. However, if there are logistical difficulties and/or circumstances that make it impractical for a State agency to collect bloodwork during the 15- to 18-month timeframe, the State agency must ensure that at least one blood test is collected for the child between 12-24 months. One blood test taken at or before 12 months of age, cannot fulfill the requirement for both the infant **and** the 12- to 24-month screening. Referral data is acceptable (see FNS WIC Policy Memorandum #2001-2, cited above for more information about the age of bloodwork referral data).
 - Follow-up Blood Test for Low Hemoglobin/Hematocrit
For an infant or child participant with a positive anemia screening result at his/her last certification, a blood test is required at 6-month intervals until an anemia screening result within normal range is documented. Referral data is acceptable.

For a breastfeeding woman who had a positive anemia screen result when tested after delivery, WIC staff should ensure that appropriate treatment and follow-up occurred. A follow-up blood test is an allowable WIC expense and may be performed by WIC staff.

- **Brief Update of Health and Dietary Assessment** – An abbreviated assessment is necessary to identify major changes in health status (e.g., diagnosis of medical condition) and/or dietary and physical activity behaviors since the previous certification. An abbreviated assessment should include the following:
 - Review of last nutrition/health summary
 - New concerns raised by the client
 - New medical diagnoses
 - Changes in eating pattern/food intake/food package
 - Changes in physical activity behaviors

As promoted through VENA and participant-centered services, this brief assessment would be the ideal time to provide follow-up on the nutrition risks identified at the previous certification.

- **Follow-up Immunization Screening** – The local agency staff should provide follow-up, as necessary, to the immunization screening and referrals conducted, at certification, as required, for infants and children less than 2 years of age. Requirements for WIC immunization and screening services are described in WIC Policy Memorandum #2001-7: Immunization Screening and Referral in WIC. Where children are not screened and referred for immunization by more comprehensive means, WIC State agencies must ensure that immunization screening and referrals are conducted. For example, follow-up immunization screening would entail a request to see the vaccination record at the subsequent nutrition assessment appointment if no immunization record was provided by the parent/caretaker at the last certification appointment (for an infant or child less than 2 years of age). Another example would be an infant initially certified at one month of age with a subsequent nutrition assessment at 6 months of age; WIC staff should verify that the infant received the recommended vaccinations at 3 and 5 months of age, as indicated in FNS Policy Memorandum #2001-7.

Nutrition Education, Breastfeeding Promotion and Support, and Referrals

Consistent with the Federal WIC regulations, WIC must ensure that its role in providing nutrition education (including breastfeeding promotion and support), and serving as an adjunct to good health care, is fulfilled. The most effective nutrition education contacts incorporate regular follow-up. Nutrition education contacts must be made available (scheduled) at a quarterly rate, but not necessarily taking place within each quarter, for participants certified for a period of longer than 6 months. For example, the guidance document, Providing Quality Nutrition Services in Implementing the Breastfeeding Promotion and Support Requirements of the New WIC Food Packages, identifies the third

trimester of pregnancy and early post partum period as critical times for WIC staff to provide frequent anticipatory guidance that helps the pregnant and new mother to establish a successful breastfeeding relationship. Nutrition education and breastfeeding promotion and support should be offered at every opportunity as appropriate to WIC participants and their parents/caregivers. The Federal WIC regulations, Section 246.11(e)(3) *Participant contacts*, will be revised in the Implementation of the Nondiscretionary, Non-Electronic Benefits Transfer-Related Provisions of P.L. 111-296 Rule (referenced above) to be inclusive of all participants certified for periods in excess of six months. Including referrals to other health and social services at the time of nutrition education and/or assessment, maximizes WIC's nutrition services benefits to the participant.

OTHER POLICY/PROGRAM IMPLICATIONS FOR EXTENDED CERTIFICATION PERIODS

Physical Presence

The regulatory option to extend certification periods does not change the physical presence requirements at certification, nor does it alter the exceptions to physical presence as described in Section 246.7(o) of the Federal WIC regulations. If the State agency allows an exemption from the physical presence requirements for an infant or child in compliance with Section 246.7(o) (e.g., in cases of working parents/caregivers, the infant/child is receiving ongoing health care), those exemptions apply to the nutrition services appointments. However, if an infant or child will not be present, it is critical that the parent/caregiver be instructed to bring assessment data (e.g., anthropometric data,) to the appointment.

Periodicity Schedule for Nutrition Services During Extended Certification Periods

This guidance does not establish a periodicity schedule for providing a nutrition assessment during the one-year certification period. Such flexibility allows each State agency to tailor policies and procedures to meet its own needs and those of the participants.

Documentation and Management Information Systems (MIS)

Documentation of updated information collected and nutrition services provided is important for participant continuity of care and efficient use of time at subsequent WIC appointments. FNS WIC Policy Memorandum #2008-4 WIC Nutrition Services Documentation provides guidance on documentation. The implementation of extended certification periods may require MIS adjustments to allow for data input at times other than at certification. State agencies should consider and plan for such adjustments prior to implementation.

Failure of Participant or Parent/Caregiver to Attend Nutrition Services Appointments

A participant shall not be denied food benefits for failure to attend the scheduled nutrition assessment and/or nutrition education appointments. Therefore, it is important to emphasize that at the time of certification, the local agency must (per Federal WIC Regulations 246.11(a)(2)) stress the positive long term benefits of the nutrition services provided by WIC,

and encourage the participant to attend and participate in scheduled nutrition assessments and/or nutrition education opportunities.

SUMMARY

The objective of an extended certification period is to reduce administrative burden while maintaining quality nutrition services delivery to participants. While FNS understands that extended certification periods provide administrative relief, they do not obviate WIC's legislative mission and need to maintain program integrity. The time freed up by reducing administrative requirements will be available for WIC staff to engage participants in relevant nutrition education and counseling. As mentioned previously, it is the combination of supplemental foods **and** nutrition services that have the most potential of assisting WIC families achieve the best possible health outcomes.



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