

7049

I N S E N A T E

March 18, 2016

Introduced by Sens. KLEIN, ESPAILLAT -- read twice and ordered printed,
and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to access to the
special supplemental nutrition program for women, infants and children

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY,
DO ENACT AS FOLLOWS:

1 Section 1. The public health law is amended by adding a new section
2 2507 to read as follows:
3 S 2507. ACCESS TO THE SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
4 WOMEN, INFANTS AND CHILDREN. 1. DEFINITIONS. AS USED IN THIS SECTION:
5 (A) "FOOD INSTRUMENT" MEANS A WIC CHECK, DRAWN ON THE ACCOUNT OF THE
6 DEPARTMENT, EXCHANGEABLE FOR PRODUCTS APPROVED UNDER WIC.
7 (B) "PARTICIPANT" MEANS A PERSON WHO IS ELIGIBLE TO RECEIVE SUPPLEMENTAL
8 FOODS OR FOOD INSTRUMENTS UNDER WIC.
9 (C) "WIC" MEANS THE SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN,
10 INFANTS AND CHILDREN, AUTHORIZED BY THE FEDERAL CHILD NUTRITION ACT OF
11 1966.
12 (D) "WIC FOOD VENDOR" MEANS A FOOD VENDOR WHICH HAS A CONTRACT IN
13 EFFECT WITH A LOCAL AGENCY TO SUPPLY SUPPLEMENTAL FOODS TO PERSONS
14 RECEIVING WIC BENEFITS.
15 2. IN ORDER TO MAXIMIZE ACCESS TO NUTRITIOUS FOODS TO PARTICIPANTS IN
16 WIC, SUCH PARTICIPANTS SHALL HAVE THE RIGHT TO REDEEM FOOD INSTRUMENTS
17 AT ANY WIC FOOD VENDOR, INCLUDING FOOD INSTRUMENTS AUTHORIZING THE
18 PURCHASE OF ANY FORM OF INFANT FORMULA APPROVED BY WIC.
19 3. THE DEPARTMENT MAY PROMULGATE RULES AND REGULATIONS ESTABLISHING
20 FRAUD PREVENTION MEASURES, AND ANY OTHER MEASURES NECESSARY TO ENSURE
21 THE INTEGRITY OF WIC AND FULFILL FEDERAL MANDATES FOR COST CONTAINMENT.
22 S 2. This act shall take effect on the thirtieth day after it shall
23 have become a law. Provided, that, effective immediately, the department
24 of health shall begin to promulgate any rules and regulations necessary
25 to implement the provisions of this act.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD14717-02-6