S T A T E  O F  N E W  Y O R K

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:

Section 1. The public health law is amended by adding a new section 2507 to read as follows:

S 2507. ACCESS TO THE SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS AND CHILDREN. 1. DEFINITIONS. AS USED IN THIS SECTION:

(A) "FOOD INSTRUMENT" MEANS A WIC CHECK, DRAWN ON THE ACCOUNT OF THE DEPARTMENT, EXCHANGEABLE FOR PRODUCTS APPROVED UNDER WIC.

(B) "PARTICIPANT" MEANS A PERSON WHO IS ELIGIBLE TO RECEIVE SUPPLEMENTAL FOODS OR FOOD INSTRUMENTS UNDER WIC.

(C) "WIC" MEANS THE SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS AND CHILDREN, AUTHORIZED BY THE FEDERAL CHILD NUTRITION ACT OF 1966.

(D) "WIC FOOD VENDOR" MEANS A FOOD VENDOR WHICH HAS A CONTRACT IN EFFECT WITH A LOCAL AGENCY TO SUPPLY SUPPLEMENTAL FOODS TO PERSONS RECEIVING WIC BENEFITS.

2. IN ORDER TO MAXIMIZE ACCESS TO NUTRITIOUS FOODS TO PARTICIPANTS IN WIC, SUCH PARTICIPANTS SHALL HAVE THE RIGHT TO REDEEM FOOD INSTRUMENTS AT ANY WIC FOOD VENDOR, INCLUDING FOOD INSTRUMENTS AUTHORIZING THE PURCHASE OF ANY FORM OF INFANT FORMULA APPROVED BY WIC.

3. THE DEPARTMENT MAY PROMULGATE RULES AND REGULATIONS ESTABLISHING FRAUD PREVENTION MEASURES, AND ANY OTHER MEASURES NECESSARY TO ENSURE THE INTEGRITY OF WIC AND FULFILL FEDERAL MANDATES FOR COST CONTAINMENT.

S 2. This act shall take effect on the thirtieth day after it shall have become a law. Provided, that, effective immediately, the department of health shall begin to promulgate any rules and regulations necessary to implement the provisions of this act.

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

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