

Section 1.12: Termination/Suspension of Program Services

5/2019

References: [7 CFR 246.7\(c\)\(3\)](#)

Policy: Local Agencies must follow state agency guidance and procedures if WIC funding necessitates termination/suspension of WIC Services.

Purpose: Federal WIC regulations allow for termination of services to program participants within a certification period if the state WIC agency experiences funds management problems, such as an inability to maintain its current level of participation for the remainder of the fiscal year. Such action will be taken only after alternative actions have been explored. This termination action will be planned to affect the least possible number of participants and will be directed first to those at least risk.

Before terminating participants, the state WIC office will first explore alternative actions such as:

- Natural attrition combined with a moratorium on certifications
- Transfer of administrative funds to cover food costs
- Obtaining additional funding from private, local, state or federal sources
- Choosing lower-cost, but comparable food package items.

Definitions

Suspension of Services

Suspension of services is a temporary action which allows WIC food benefits issuance to be resumed when funds are available *without participant reapplication*. This may be the choice of action if the funds management problem or overspending is small and affected participants can be accommodated in the near future.

Termination of Services

Termination is a more permanent action *requiring terminated participants to reapply for program services and be certified again*. This may be the course of action if the funds management problem or overspending is substantial, and distribution of services to affected participants is unlikely to be resumed in the current fiscal year.

Procedures

1. Selecting Participants for Suspension or Termination

Participants may be selected for suspension or termination in the following manner:

- by lowest nutritional risk priority (or priorities)
- participants who only have one month left in their certification period
- participants at higher income ranges

2. Notifying Participants

Participants must be notified in writing prior to any termination/suspension of services not less than 15 days prior to the date of the proposed action. The state office will provide guidance related to this notification. The notification must include the reason for the suspension or termination and the right to a fair hearing.

Reference – Complete Listing of Hyperlinks

7 CFR 246.7(c)(3) ([https://www.ecfr.gov/current/title-7/part-246#p-246.7\(c\)\(3\)](https://www.ecfr.gov/current/title-7/part-246#p-246.7(c)(3)))

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