

VI. FOOD FUNDS MANAGEMENT

(Please indicate) **State Agency:** New Hampshire for FY 2024

Food funds management involves monitoring cost containment measures and procedures related to infant formula and other authorized food items, the monitoring and management of State agency funding sources, and the accurate reporting of participation figures.

During a disaster or public health emergency, or supply chain disruption, the State agency may request to implement existing WIC regulatory and programmatic flexibilities or waivers to support the continuation of Program benefits and services. State agencies should consider the over arching authority, i.e. Stafford Act, Access to Baby Formula Act, or provision(s) authorized by Congress, and duration before developing a policy and procedure. The State agency must provide a detailed description of how it plans to operationalize the flexibility or waiver through their procedure manual where applicable. Please note that State Plans Guidance is not intended to capture a description of waivers authorized by Congress with separate reporting requirements.

Executive Order (EO) 13988, "*Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation*," was issued to all Federal Agencies. The EO set out policies that all persons are entitled to dignity, respect, and equal treatment under the law, no matter their gender identity or sexual orientation. The EO does not usurp section 17 of 42 U.S.C, as amended or applicable regulations, rather it complements the language in the nondiscrimination statement. Following the contents of the EO, State agencies must update their policies and procedures to align with the contents of the EO and the nondiscrimination statement.

A. Cost Containment Measures - [246.4\(a\)\(14\)\(xi\)](#), [246.4\(a\)\(14\)\(xvii\)](#), [246.16a\(a\)](#): describe the policies and procedures used to implement cost containment measures as they relate to infant formula contracts, their approval and the processing of infant formula and/or other rebates, and food package cost containment practices.

B. Funds Monitoring/798 Reporting - [246.4\(a\)\(2\)](#); [\(a\)\(12\)](#); and [\(a\)\(14\)](#): describe the State agency's funding sources, how food obligations are calculated to allow for inflation, rebate cash management, and monthly closeout monitoring activities.

C. Participation Reporting - [246.4\(a\)\(11\)](#): describe the methods used to accurately document and monitor participation at the State and local level, and methods for monitoring changes in participation by priority.

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A. Cost Containment Measures

1. The State agency seeks FNS approval related to infant formula cost containment measures (check one):

- For a waiver of the requirement for a single-supplier competitive system. State agency must complete a cost comparison projecting food cost savings in the single-supplier competitive system based on the lowest monthly net price or highest monthly rebate [as required in Section [246.16a\(d\)\(2\)\(i\)](#) through [\(d\)\(2\)\(iii\)](#) and savings under an alternative cost containment system, Section [246.16a\(d\)\(2\)\(B\)](#)]
- To issue an infant formula bid solicitation that evaluates bids by highest rebate. A State agency must demonstrate to FNS' satisfaction that the weighted average retail prices for different brands of infant formula in the State vary by 5% or less [as required in Section [246.16a\(c\)\(5\)\(iii\)](#)].
- Not applicable

Please attach in the Appendix supporting documentation for requests for FNS approval.

ADDITIONAL DETAIL: Food Funds Management Appendix and/or Procedure Manual (citation):

2. Cost Containment Contracts for Infant Formula

a. The State agency acquires infant formula through the following food delivery systems:

i. Non-exempt infant formula (check all that apply):

- Home food delivery system
- Direct distribution food delivery system
- Retail food delivery system
- Other (specify): _____

ii. Exempt infant formula (check all that apply):

- Home food delivery system
- Direct distribution
- Retail food delivery system
- Other (specify): Primary payer is NH Medicaid

iii. WIC-eligible nutritionals (check all that apply):

- Home food delivery system
- Direct distribution system
- Retail food delivery system
- Other (specify): _____

b. The State agency has a rebate contract/agreement for infant formula.

- Yes
If yes, attach contract in Appendix
- No
If no, check which applies:
 - Granted waiver
 - ITO with participation under 1,000 as of April.
(Proceed to question A. 4. Cost Containment for Other Foods.)

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A. Cost Containment Measures

- c. **Current fiscal year rebates and current net price per unit paid (note the price should reflect current prices rather than original contract prices and rebate amounts):**

My rebate price sheet is available and attached as Appendix See attachment Abbott New prices July 2023
(Proceed to A. 3. Infant Formula Issuance.)

Primary Contract Infant Formula				
Product/Unit Size	Manufacturer	Rebate/Unit	Net price/Unit	% WS Discount
Liquid Concentrate				
Milk-Based				
Soy-based*				
Powder				
Milk-based				
Soy-based*				
Ready to Feed				
Milk-Based				
Soy-based*				
Exempt Formula (If applicable)				

*If uncoupled/separate contracts for milk- and soy-based infant formula.

3. Infant Formula Issuance.

- a. **Does the State agency issue the Primary Contract Infant Formula as the first choice of issuance (by physical form), with all other infant formulas issued as an alternative? (Section [246.16a\(c\)\(8\)](#) & [246.10\(e\)\(1\)\(iii\)](#))**

Yes No

- b. **The percent of total infant participants receiving each type of formula is estimated at:**

*Contract (infant formula authorized and rebated through infant formula cost containment contract/s awarded by the State agency.) 91.11%

*Non-contract (infant formula that is not rebated through an infant formula cost containment contract awarded by the State agency.) 8.89%

Exempt infant formula (non-contract infant formula that is issued through Food Package III)
92.21%

Non-exempt infant formula (non-contract infant formula that is issued through Food Packages I & II)
7.79%

*Contract and Non-contract categories should total 100%. Exempt and Non-Exempt subcategories should total to 100%.

ADDITIONAL DETAIL: Food Funds Management Appendix and/or Procedure Manual (citation):

4. Cost Containment for Other Foods

- a. **Rebates are also obtained on other WIC foods.**

Yes (specify foods and attach contract in Appendix):

No

- b. **The State agency intends to pursue rebates on other authorized foods.**

Yes (specify):

No

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A. Cost Containment Measures

c. To contain food costs, the State agency has limited authorized foods/container sizes/types, etc.

Yes (If yes, note such limitations on the following table)

No

ADDITIONAL DETAIL: Food Funds Management Appendix and/or Procedure Manual (citation):

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A. Cost Containment Measures

	Specific brands are designated Disallowed	Only certain container sizes are allowed	Allowable types are limited	Other
Exempt formula for women, infants & children	X	X	X	NH Medicaid is primary payer
Infant cereal	X	X	X	organic allowed
Infant Fruit/Veg/Meat	X	X	X	organic allowed
Whole fresh fluid milk		X		no organic/glass
Lowfat fresh fluid milk		X		no organic/glass
Skim fresh fluid milk		X		no organic/glass
Fresh milks (e.g., Lactaid, cultured buttermilk, goat milk) (specify): _____		X	X Lactose fee	no organic/glass
Shelf-stable milk (e.g., evaporated milk, UHT, whole/ low fat/nonfat dry milk)		X	X	no organic/glass
Cheese		X 8 & 16 oz. only	X	no organic
Yogurt	X	X 32 ounces only	X	organic & tubes ok
Soy-based beverage	X	X quart or 1/2 gallon	X	
Tofu	X	X 16 oz. only	X	organic allowed
Fresh eggs		dozen only		organic allowed
Dried egg mix	NA	NA	NA	NA
Hot cereal	X	12 oz. or larger	X	no organic
Cold cereal	X	12 oz. or larger	X	no organic
Single strength fruit/vegetable juice	X	X	X	no organic
Concentrated fruit/vegetable juice	X	X	X	no organic
Whole wheat bread	X	16 oz. only	X	no organic; buns ok
Other whole grains	X	X 16oz/14-16 oz rice	X	no organic
Peanut butter		16-18 oz		no organic
Dry beans/peas		X	X	no organic
Canned Fish		X	X	no organic/ no pouc
Canned beans/peas		X	X	no organic

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B. Funds Monitoring/798 Reporting

3. Rebate Cash Management

- a. The State agency has a billing system in place that ensures rebate invoices for all authorized food, including infant formula, under competitive bidding, provide a reasonable estimate, or actual count of the number of units purchased by participants during WIC transactions (Section [246.16a\(k\)](#)).

- Actual count of units purchased
 Estimate of units purchased (attach methodology)
 Other (describe): _____

- b. The State agency uses a food instrument that enables it to identify the type and brand of infant formula redeemed.

- Yes, for all formula types, brands, and physical forms
 Yes, for exempt infant formulas
 No

- c. The invoice to the formula manufacturer is issued by:

- The WIC unit
 The State agency fiscal unit
 Other (specify): _____

- d. Monthly invoices are submitted with supporting data.

- Yes No

ADDITIONAL DETAIL: Food Funds Management Appendix and/or Procedure Manual (citation):

4. Closeout of Report Month Outlays

- a. The State agency allows the food vendor (and farmer if any) the following number of days to submit food instruments and cash-value vouchers for payment (provide the number of days):

NA Days from the participant's first valid date

- b. The State agency is generally able to close out a report month completely within:

- 90 days
 120 days
 Other (specify number of days): 45 days

ADDITIONAL DETAIL: Food Funds Management Appendix and/or Procedure Manual (citation):

5. Indicate the method used to reimburse vendors (and farmers if any) for redeemed food instruments and cash-value vouchers or other services and specify the entity responsible for making payment:

State WIC **State FM** **Other (Specify)**

- | | | | |
|-------------------------------------|--------------------------|-------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | _____ | By check directly to vendor or farmer |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ | By check directly to vendor's or farmer's bank |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | _____ | By electronic transfer to vendor's or farmer's bank |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ | Other (specify): _____ |

ADDITIONAL DETAIL: Food Funds Management Appendix and/or Procedure Manual (citation):

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C. Participation Reporting

1. Participation Counting

a. **The State agency counts an enrollee who received at least one food instrument/food package (or who received no food instrument/food package, but was either a fully-breastfed infant of a participating breastfeeding woman or a woman partially breastfeeding a participating 6 to 12 month old infant) as a participant during:**

The calendar month

The computer system cycle month

Other (specify): _____

b. **The State agency receives participation counts from:**

The State agency computer system based on the number of persons issued food or food instruments (manual and automated food instruments), the number of fully-breastfed infants who receive no food or food instruments, but are breastfed by participating breastfeeding women, and the number of women who receive no food or food instruments, but are partially breastfeeding a participating 6 to 12 month old infant.

Counts reported from local agencies based on issuance records

Other (specify): _____

c. **If State funds are present, the State agency differentiates between Federal-supported and State-supported participants by:**

Special code on food instrument

Special areas of State designated as State-supported areas

Pro rata allocation based on proportion of Federal to State funds spent

Other (specify): _____

N/A

d. **When local agencies are chronically late in furnishing food instrument and/or certification data needed for participation counts, the State agency:**

Sends warnings

Applies financial sanctions

Requires manual reporting

Other (specify): NA _____

ADDITIONAL DETAIL: Food Funds Management Appendix and/or Procedure Manual (citation):

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C. Participation Reporting

2. Participation by Priority

a. Priority level is a critical data field in the State agency's computer system.

Yes No

b. The State computer system automatically assigns priority level based on the enrollee's nutritional risk condition.

Yes No

c. The State agency's computer system revises the priority level determination when a participant changes category (e.g., infant becomes child and receives a child's food package).

Yes No

d. The State agency has an "unknown" priority category for VOC transfers where priority is unknown.

Yes No

3. Participation by Local Agency

The State agency's computer system supports its requirement to report participation data by local agency to measure breastfeeding performance.

Yes No N/A

ADDITIONAL DETAIL: Food Funds Management Appendix and/or Procedure Manual (citation):
