



Legislation Details (With Text)

**File #:** Res 1039-2016      **Version:** \*      **Name:** Ensure that participants in the Special Supplemental Nutrition Program for Women, Infants and Children may receive foods from any vendor approved by such program, including infant formula. (S.7049/A.9648)

**Type:** Resolution      **Status:** Filed (End of Session)

**In control:** Committee on Health

**On agenda:** 4/20/2016

**Enactment date:**      **Enactment #:**

**Title:** Resolution calling upon the New York State Legislature to pass and Governor Cuomo to sign S.7049/A.9648, which would ensure that participants in the Special Supplemental Nutrition Program for Women, Infants and Children may receive foods from any vendor approved by such program, including infant formula

**Sponsors:** Rafael L. Espinal, Jr., Darlene Mealy

**Indexes:**

**Attachments:** 1. Senate Bill, 2. Assembly Bill, 3. April 20, 2016 - Stated Meeting Agenda with Links to Files

Date	Ver.	Action By	Action	Result
4/20/2016	*	City Council	Introduced by Council	
4/20/2016	*	City Council	Referred to Comm by Council	
12/31/2017	*	City Council	Filed (End of Session)	

Res. No. 1039

Resolution calling upon the New York State Legislature to pass and Governor Cuomo to sign S.7049/A.9648, which would ensure that participants in the Special Supplemental Nutrition Program for Women, Infants and Children may receive foods from any vendor approved by such program, including infant formula

By Council Members Espinal and Mealy

Whereas, Special Supplemental Nutrition Program for Women, Infants and Children (“WIC”) is a federal nutrition program that supports eligible low-income pregnant, postpartum, and breastfeeding women, infants and children up to the age of five, and promotes better health for these families; and

Whereas, WIC provides nutrition education and counseling, breastfeeding support, prenatal and postpartum support, referrals and supplemental food vouchers; and

Whereas, Foods that are WIC approved include low or fat free milk, fruits and vegetables, whole grains, infant formula, and other essential items; and

Whereas, According to the New York State Department of Health (“DOH”) website, “WIC vendors are grocery stores and pharmacies who are authorized to issue healthy supplemental foods to WIC participants in exchange for WIC food instruments (WIC checks) and vouchers”; and

Whereas, In February 2014, DOH implemented a policy change which only allows WIC vendors that are pharmacies or stores with a pharmacy department to redeem WIC checks for infant formulas issued with a prescription, known as exempt or specialty formulas; and

Whereas, According to an article in *Crain’s New York Business*, the new policy was created in response to fraudulent activity where store owners were providing cash instead of infant formula, for example, in exchange for WIC vouchers; and

Whereas, As a result, the State retroactively eliminated all stores without a pharmacy from selling specialty infant formula, thus, limiting the ability of WIC participants to access such products in their local neighborhoods; and

Whereas, Many WIC recipients must travel long distances from their homes to buy formula, and may experience more financial hardship due to transportation costs; and

Whereas, Limiting the number of WIC vendors that can accept WIC checks for exempt infant formula can have an adverse effect on a young child’s health if a mother has difficulty finding a store that is conveniently located to meet her child’s needs; and

Whereas, S.7049, sponsored by State Senator Klein, and A.9648, sponsored by Assembly Member Crespo, would ensure that participants in the WIC program have access to all WIC approved products, including exempt or specialty infant formulas at any WIC approved vendor; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and Governor Cuomo to sign S.7049/A.9648, which would ensure that participants in the Special Supplemental Nutrition Program for Women, Infants and Children may receive foods from any vendor approved by such program, including infant formula.

LS # 7671  
3/30/2016  
TC