

WIC POLICY 201: CURRENT ISSUES AND POLITICS

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National WIC Association

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CURRENT WIC ISSUES AND POLITICS

- 3 main policy areas
- Current WIC Appropriations asks and issues
- Current WIC Reauthorizations asks and issues
- WIC Food packages
- Advocacy vs. lobbying

3 MAIN POLICY AREAS

- Appropriations (legislative)
- Reauthorization (legislative)
- Food Package (regulatory)

WIC APPROPRIATIONS



WIC APPROPRIATIONS

- Also known as “WIC Funding”
- WIC is a discretionary program
- Congress must fund WIC each year
- Funding is not guaranteed

COMMITTEES OF JURISDICTION

- Committees with the power to fund or not fund WIC
- House Appropriations Committee; Subcommittee on Agriculture, Rural Development, & FDA
- Senate Appropriations Committees; Subcommittee on Agriculture, Rural Development, & FDA

COMMITTEE LEADERSHIP

HOUSE

- Robert Aderholt (R-AL),
Chair, Subcommittee
- Sam Farr (D-CA), Ranking
Member, Subcommittee
- Harold Rogers (R-KY),
Chair, Full Committee
- Nita Lowey (D-NY),
Ranking Member, Full
Committee

SENATE

- Jerry Moran (R-KS), Chair,
Subcommittee
- Jeffrey Merkley (D-OR),
Ranking Member,
Subcommittee
- Thad Cochran (R-MS),
Chair, Full Committee
- Barbara Mikulski (D-MD),
Ranking Member, Full
Committee

APPROPRIATIONS PROCESS

- Release of President's Budget
- Hearings
- House and Senate Subcommittee mark-ups of their respective bills
- House and Senate Appropriations Committee mark-ups of their respective bills
- House and Senate Floor Debate
- House and Senate vote on their versions of the bill
- Once passed, the bills are conferenced to iron out differences
- House and Senate vote on conferenced agreement
- If passed, bill is signed into law, or vetoed and returned for more work or an override.

RECENT APPROPRIATIONS CHALLENGES

Funding uncertainty with
numerous Continuing
Resolutions (CRs)

*

Threats of funding cuts that
would remove hundreds of
thousands of current
participants from the program

*

Automatic sequester cuts that
WIC programs had to absorb



RECENT APPROPRIATIONS CHALLENGES

No funding for EBT in
FY2012 and FY2013

*

Threats of no funding for
the breastfeeding peer
counselor program as
meeting caseload is first
priority in Congress



WHY WOULD MEMBERS OF CONGRESS CONSIDER CUTTING FUNDS FROM SUCH A GREAT PROGRAM?

- Pressure from the far right
- No sacred cows
- The Budget Control Act intention never fulfilled

WHAT ABOUT THIS YEAR, FY2017?

APPROPRIATIONS PROCESS

- **Release of President's Budget**
- **Hearings**
- House and Senate Subcommittee mark-ups of their respective bills
- House and Senate Appropriations Committee mark-ups of their respective bills
- House and Senate Floor Debate
- House and Senate vote on their versions of the bill
- Once passed, the bills are conferenced to iron out differences
- House and Senate vote on conferenced agreement
- If passed, bill is signed into law, or vetoed and returned for more work or an override.

WIC APPROPRIATIONS

FY2016 LAW

- \$6.35 billion in new funding
 - \$60 million: breastfeeding peer counselor program
 - \$13.6 million: infrastructure
- \$220 million from unobligated balances (carryover): MIS/EBT (eWIC)

FY 2017 PRESIDENT'S REQUEST

- \$6.35 billion new funds
 - \$80 million: breastfeeding peer counselor program
 - \$75 million: MIS/EBT (eWIC)
 - \$14 million: infrastructure
 - \$26 million: program initiatives and evaluation

NWA FY 2017 APPROPRIATIONS ASKS

NWA ASKS FOR
MORE INVESTMENT
IN WIC!

- \$6.366 million/ funding to meet all caseload needs
 - \$90 million: breastfeeding peer counselor program
 - \$75 million: MIS/EBT (eWIC) \$14 million: Infrastructure
 - \$14 million: infrastructure
 - \$26 million: Program Initiatives and Evaluation with \$5 million for rigorous research
 - \$6.02 million for enhanced breastfeeding CVV
- Maintain contingency fund at \$150 million

FY2017 FUNDING OUTLOOK

- **WIC funding for FY2017 will likely be sufficient**
 - Lower caseloads mean less money needed
 - The budget deal last year allows for decent overall funding caps for Congress to work with
- **But, it's not time to be complacent**
 - There are no guarantees
 - Each year through FY2021, the overall funding allocation for Congress to fund all government programs is scheduled to decrease
 - WIC is prime for cuts as the largest program for the Agriculture Appropriations Subcommittee

WIC REAUTHORIZATION



WIC REAUTHORIZATION

- Occurs every 5 years
- Changes WIC Policy
- Committees of jurisdiction
 - House Education and the Workforce Committee
 - Senate Agriculture Committee

COMMITTEE LEADERSHIP

HOUSE : EDUCATION AND THE WORKFORCE

- Todd Rokita (R-IN), Chair, Subcommittee
- Marcia L. Fudge (D-OH), Ranking Member, Subcommittee
- John Kline (R-MN), Chair, Full Committee
- Robert “Bobby” Scott (D-VA), Ranking Member, Full Committee

SENATE : AGRICULTURE

- John Hoeven (R-ND), Chair, Subcommittee
- Bob Casey (D-PA), Ranking Member, Subcommittee
- Pat Roberts (R-KS), Chair, Full Committee
- Debbie Stabenow (D-MD), Ranking Member, Full Committee

EXAMPLES OF PAST REAUTHORIZATION POLICY CHANGE

- Language to review and update the food package every 10 years
- The establishment of the Breastfeeding Peer Counselor Program
- Mandate to get all states to EBT by 2020
- The establishment of the use of adjunctive eligibility in WIC
- Language that establishes funding levels for set asides like the Breastfeeding Peer Counselor Program, MIS/EBT, and Infrastructure

STEPS IN THE REAUTHORIZATION PROCESS: SIMILAR TO APPROPRIATIONS PROCESS BUT WITH NEW COMMITTEES

- Hearings
- Marker bills introduced
- House Education and the Workforce Committee/Senate Agriculture Committee mark-ups of their respective bills
- House and Senate Floor Debate
- House and Senate vote on their versions of the bill
- Once passed, the bills are conferenced to iron out differences
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NWA REAUTHORIZATION ASKS: ELIGIBILITY

Infant certification
for 2 years!

*

Moms until 2 years
post-partum!

*

Children to 6 years
old!



NWA REAUTHORIZATION ASKS: BREASTFEEDING

\$180 million per year
for breastfeeding peer
counselor program!

*

Double the current
amount!



NWA REAUTHORIZATION ASKS: MIS/EBT

\$85 million for
management
information systems
(MIS) and electronic
benefit transfer
(EBT)!



NWA REAUTHORIZATION ASKS: FOOD PACKAGES

Keep food packages
based on science and
with choice!



NWA REAUTHORIZATION ASKS: PROTECT ADJUNCTIVE ELIGIBILITY

Protect the link
between WIC and
Medicaid that
reduces a barrier to
participating in WIC
for many vulnerable
families!



NWA REAUTHORIZATION ASKS: COST CONTAINMENT

Preserve the
integrity of infant
formula cost
containment!



NWA REAUTHORIZATION ASKS: INFRASTRUCTURE AND RESEARCH

\$40 million per year
for infrastructure!

*

\$15 million per year
for rigorous health
outcomes research!



THE PROCESS SO FAR

HOUSE

- Hearings
- Marker bills

SENATE

- Hearings
- Marker bills
- Senate bill passed out of the Agriculture Committee with a bi-partisan vote

WIC MARKER BILLS

H.R. 2660: WISE INVESTMENT IN OUR CHILDREN (WIC) ACT

- Sponsored by Rep. Rosa DeLauro (D-CT) and Rep. Linda Sanchez (D-CA)
- Calls for giving states the option to extend WIC to 6 years old
- 71 Democrats co-sponsored the legislation

WIC MARKER BILLS

S. 1796: WISE INVESTMENT IN OUR CHILDREN (WIC) ACT

- Sponsored by Senator Bob Casey (D-PA)
- Calls for giving states the option to extend WIC to 6 years old
- Calls for giving states the option to certify infants for up to 2 years
- 5 co-sponsors: Senators Bernie Sanders (I-VT), Barbara Mikulski (D-MD), Elizabeth Warren (D-MA), Patty Murray (D-WA), Barbara Boxer (D-CA)

MAJOR THREAT THROUGHOUT!

- Eliminating or capping adjunctive eligibility
- Formula company is lobbying with the former chair of the Senate Agriculture Committee to cap adjunctive eligibility
- Want people to pay full price for formula to increase revenues
- Are spinning WIC data

ADJUNCTIVE ELIGIBILITY

- Adjunctive eligibility: automatic enrollment in WIC with proof of participation in SNAP, TANF, or Medicaid
- Links prevention to healthcare
- Streamlines admin
- Some states have Medicaid eligibility above 185% of poverty, the WIC eligibility level

SO, WHAT DID WE DO AT NWA?

I. NWA EDUCATED ABOUT THE VALUE OF ADJUNCTIVE ELIGIBILITY



National WIC Association
Your child has you. And you have WIC.



WIC and Adjunctive Eligibility

OVERVIEW OF WIC

The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), the nation's premier public health nutrition program, has improved the health of at-risk women, infants, and children for over 40 years. In 2014, WIC served an average of 8.3 million participants per month through 10,000 clinics nationwide.¹

ADJUNCTIVE ELIGIBILITY IN THE WIC PROGRAM

Adjunctive eligibility enables WIC applicants to be automatically income-eligible for WIC by showing proof of participation in the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), or Medicaid. The Child Nutrition and WIC Reauthorization Act of 1989 established adjunctive eligibility as a way to simplify the WIC application process, given that the income eligibility cutoffs for these other programs were lower than those for WIC in 1989.

In the past 25 years, some states have expanded eligibility for these programs to include those with incomes above the WIC eligibility threshold of 185% of the Federal poverty guidelines. This means that, in certain states, women, infants, and/or children who would not normally qualify for WIC based on their income level are able to qualify based on their enrollment in Medicaid.

Despite the potential for enrollment of participants with incomes above the WIC threshold, the United States Department of Agriculture (USDA) Food and Nutrition Service (FNS) data from a 2012 census of WIC participants indicate that only about 1% of WIC participants have incomes greater than 185% of the

Federal poverty guidelines. Additionally, nearly 75% of participants report enrolling in WIC through adjunctive eligibility.⁽²⁾ In other words, the vast majority of participants who enroll in WIC through adjunctive eligibility would already qualify for WIC based on their income level.

THE IMPORTANCE OF ADJUNCTIVE ELIGIBILITY

Adjunctive eligibility:

- Links WIC to other social service and healthcare programs
- Promotes clinic efficiency
- Simplifies the WIC application process
- Streamlines paperwork
- Reduces administrative error
- Increases coordination between WIC and other programs

ADJUNCTIVE ELIGIBILITY RESULTS IN GREATER EFFICIENCY AND LOWER ADMINISTRATIVE COSTS

As mentioned, nearly 75% of WIC participants apply for WIC via adjunctive eligibility. For the remaining 25% of WIC participants who must provide income documentation, the process of demonstrating eligibility for WIC can be time-consuming and cumbersome. Income documentation requires participants to find and bring a variety of documents to the WIC clinic: Pay stubs for the last 30 days, tax returns, income-verification letters, utility bills, and/or rent receipts. Enrolling in WIC through income documentation can sometimes require several trips to the WIC clinic and in some instances may take several days. Enrolling in WIC through adjunctive eligibility, on the other hand, takes about one minute and simply requires a WIC client to present their Medicaid card or demonstrate receipt of SNAP or TANF benefits. Adjunctive eligibility requires less time and paperwork, resulting in lower administrative costs.

As the nation's premier public health nutrition program, WIC is a cost-effective, sound investment—ensuring the health of our children.

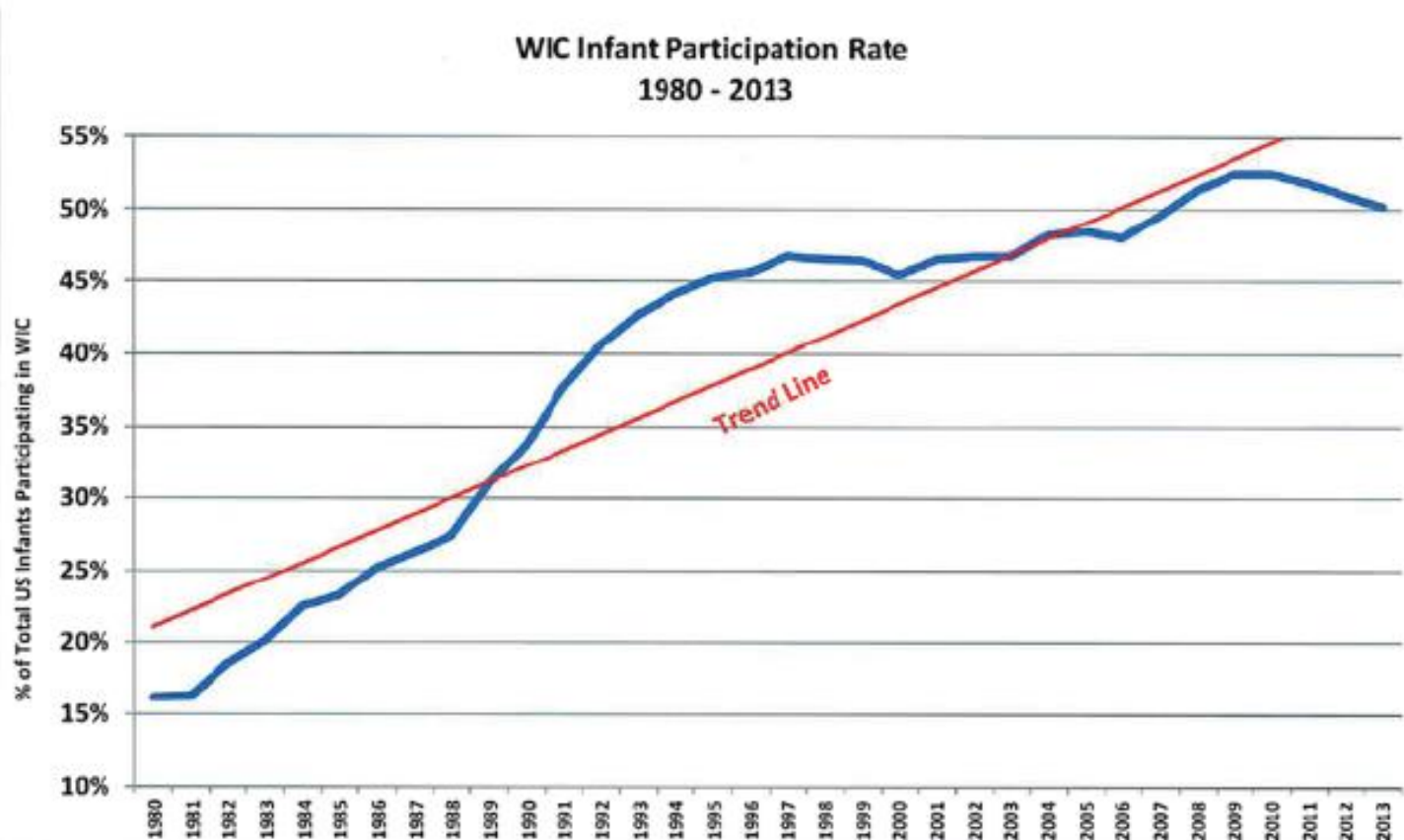
NWA'S MISSION

Providing leadership to promote quality nutrition services; advocating for services for all eligible women, infants, and children; and assuring the sound and responsive management of WIC.

2. NWA CALLED OUT THE
MISLEADING PRESENTATION OF
DATA BY FORMULA COMPANY

Mead Johnson claim

WIC Enrollment is on an Unsustainable Path



Source: USDA FNS WIC enrollment data at <http://www.fns.usda.gov/pd/wic-program> and Centers for Disease Control & Prevention birth data at <http://www.cdc.gov/nchs/births.htm>

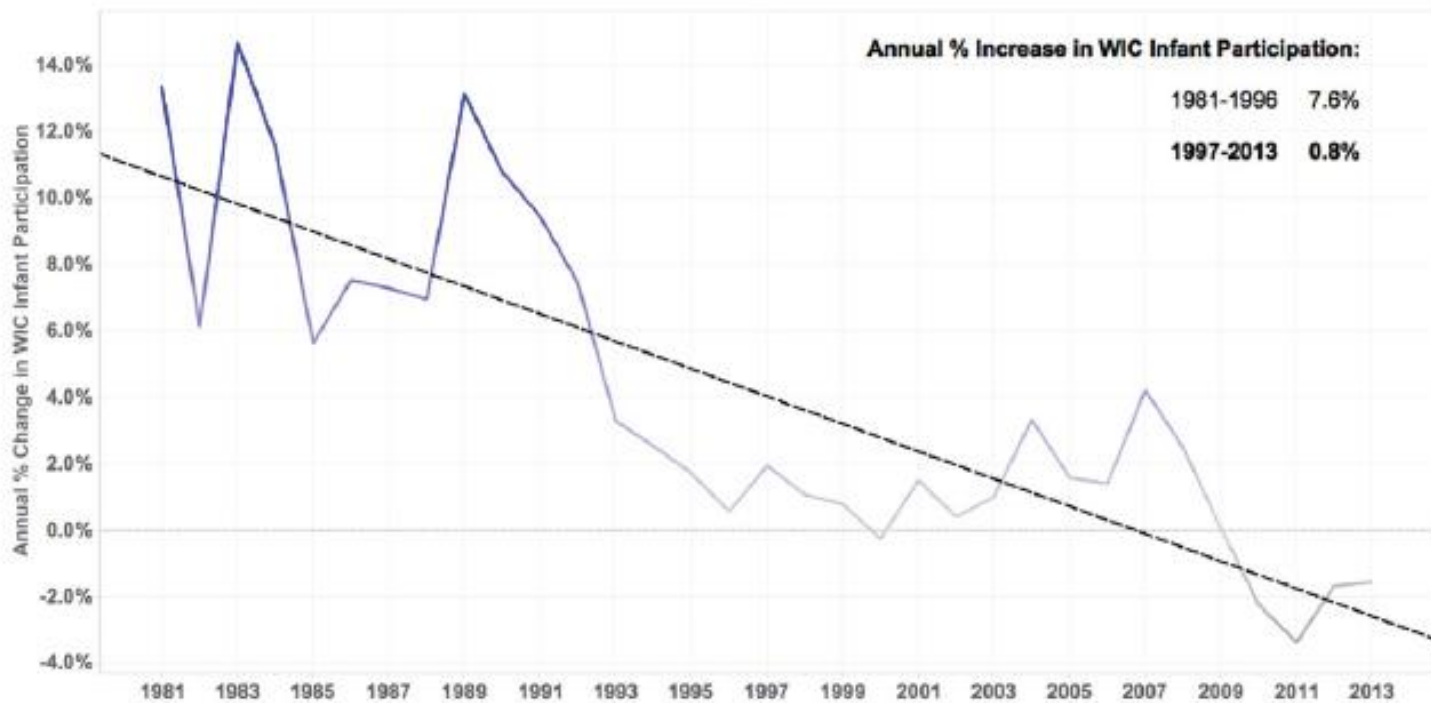
MJN Confidential and Proprietary Information

Reality

WIC Enrollment is Sustainable

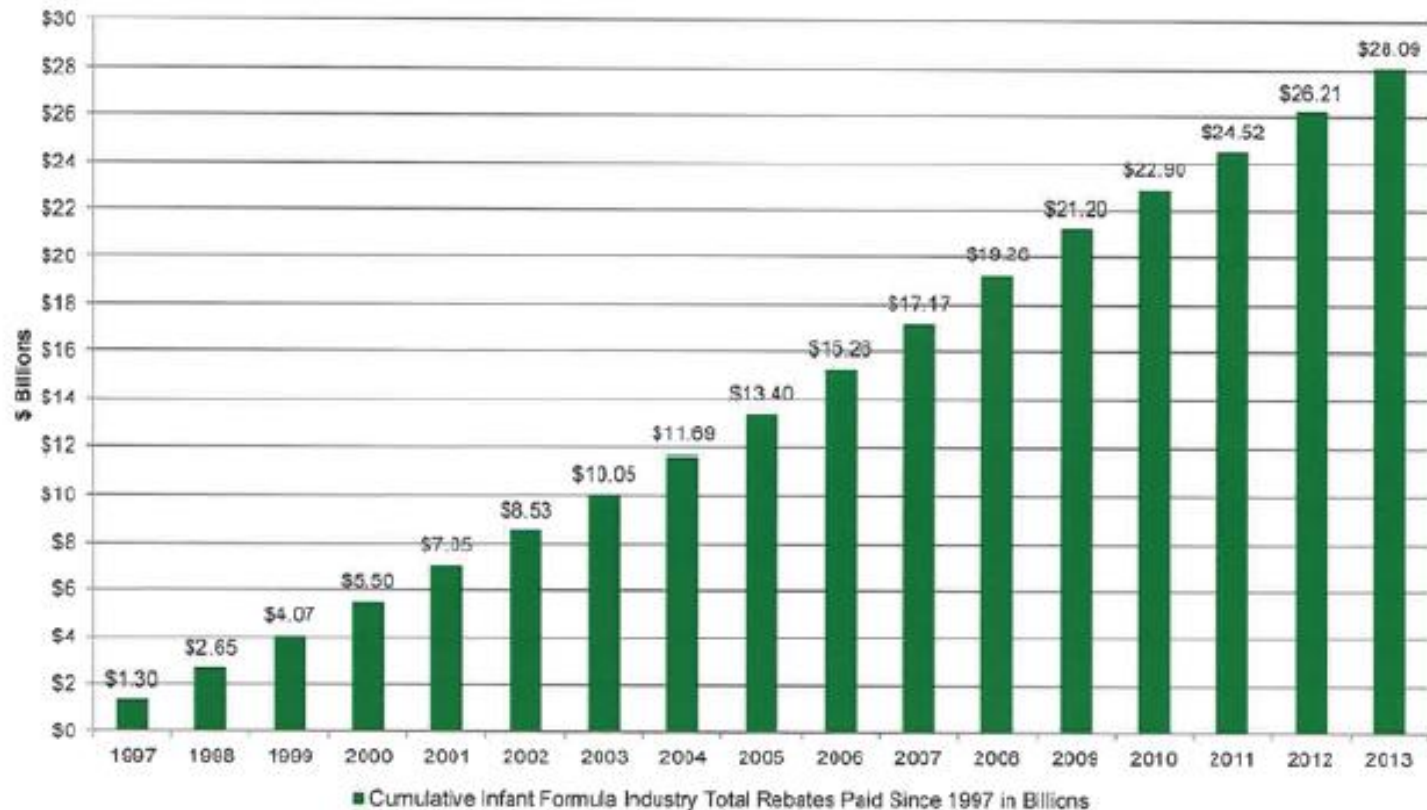
Annual Growth in WIC Infant Participation is Decreasing

WIC Infant Participation - Annual Growth %, 1981-2013



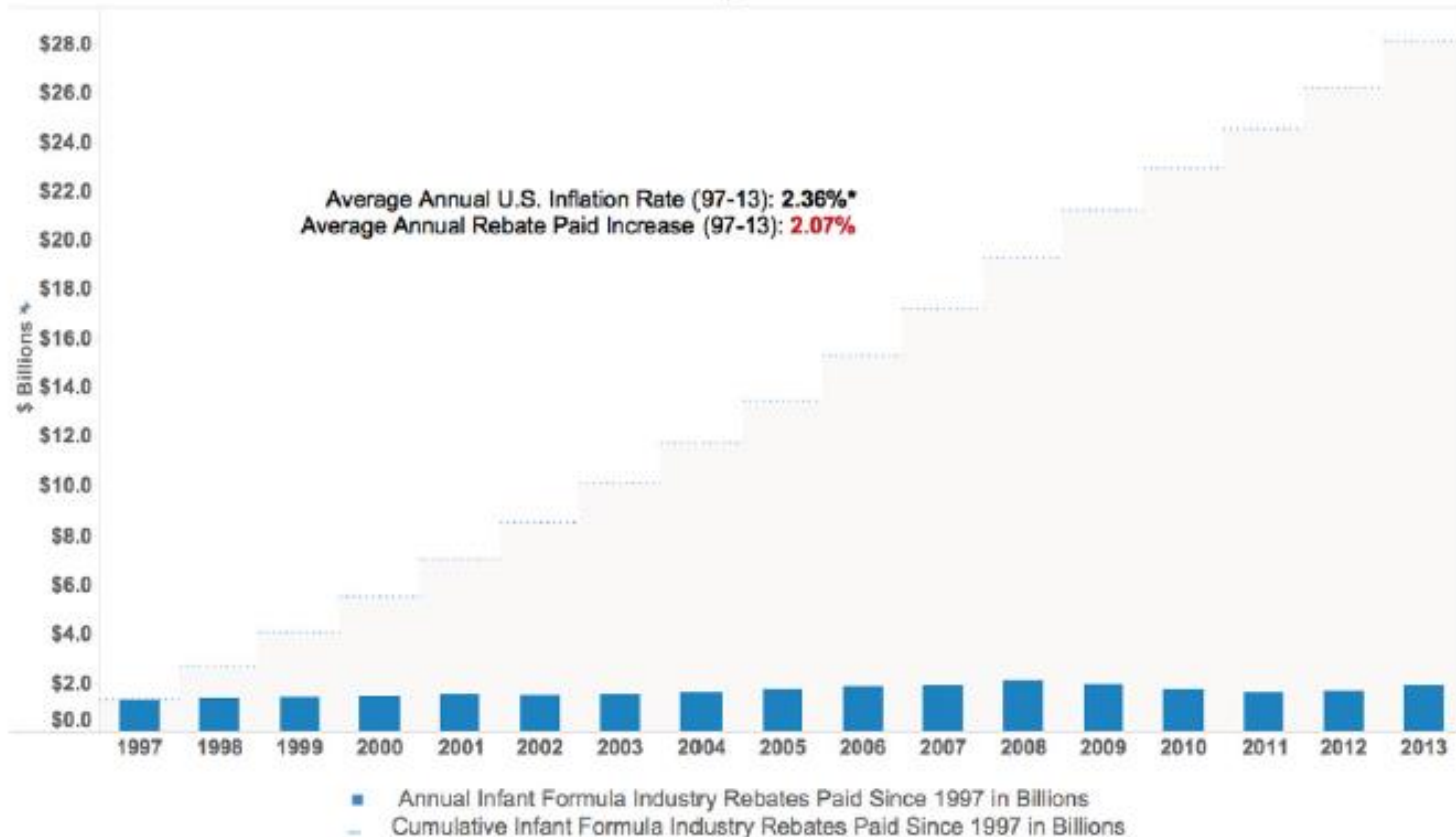
Source: USDA Economic Research Service, Average Monthly Participation in WIC, Fiscal Year 1980-2013. <http://www.ers.usda.gov/topics/food-nutrition-assistance/wic-program/charls.aspx#monthly>

Infant Formula Industry Total Rebates Paid



Reality

Infant Formula Industry - Annual Rebates Paid

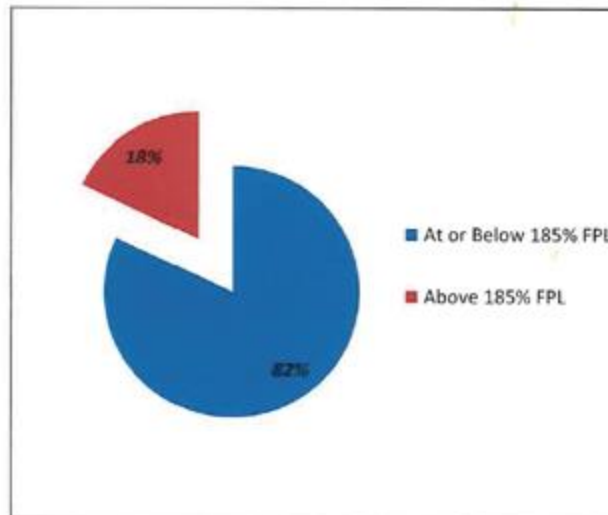


Source: Mead Johnson, Infant Formula Industry Total Rebates Paid, Washington DC Congressional Meetings, December 2014

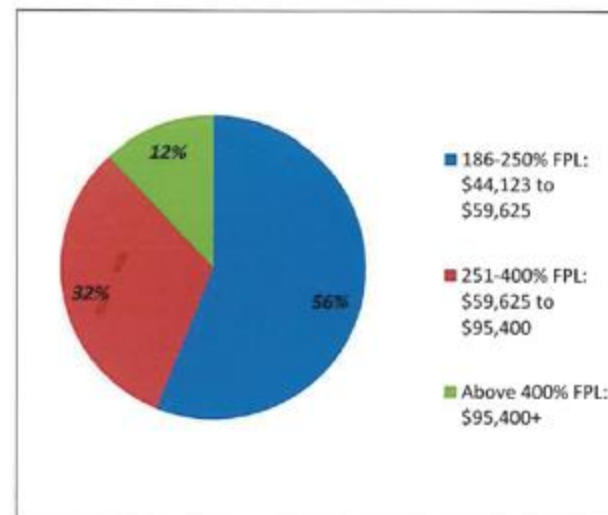
*Source: The World Bank, Inflation & Consumer Prices, United States <http://data.worldbank.org/indicator/FP.CPI.TOTL.ZG>

WIC Infant Family Income Characteristics

WIC Infants by Income Status:
% of Federal Poverty Level

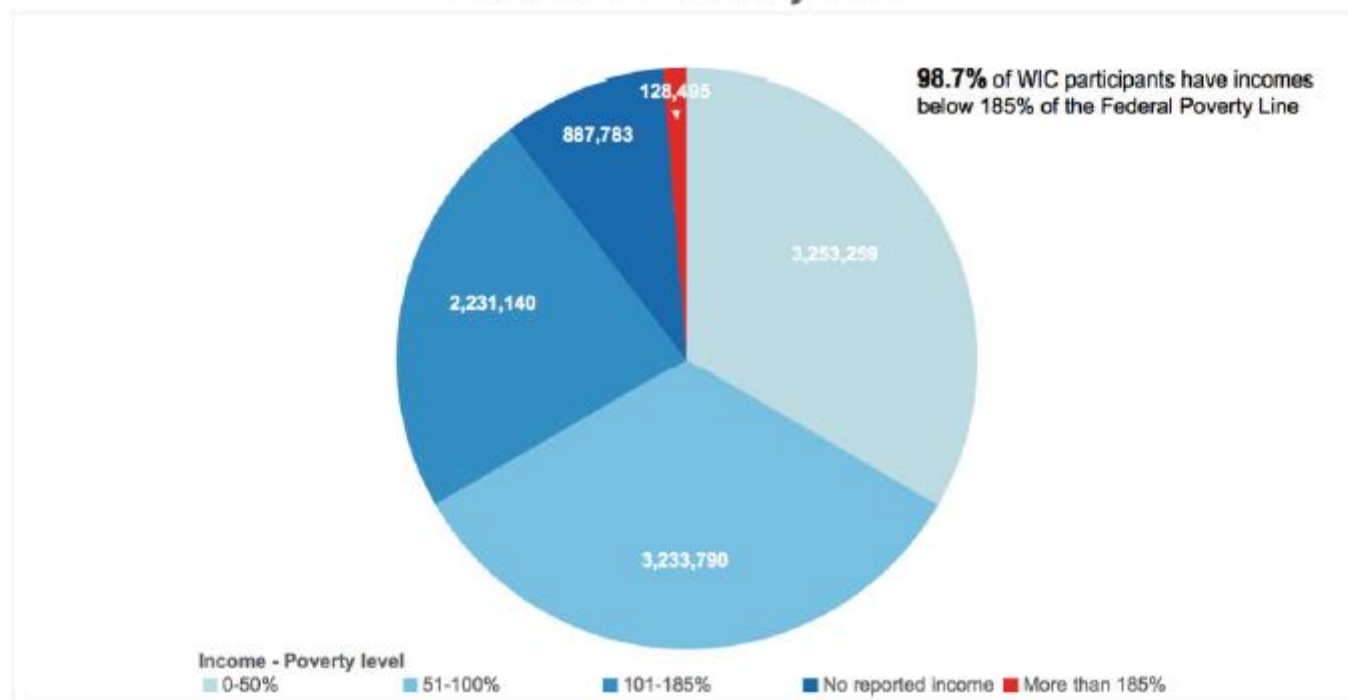


WIC Infants Above Income
Threshold



Reality

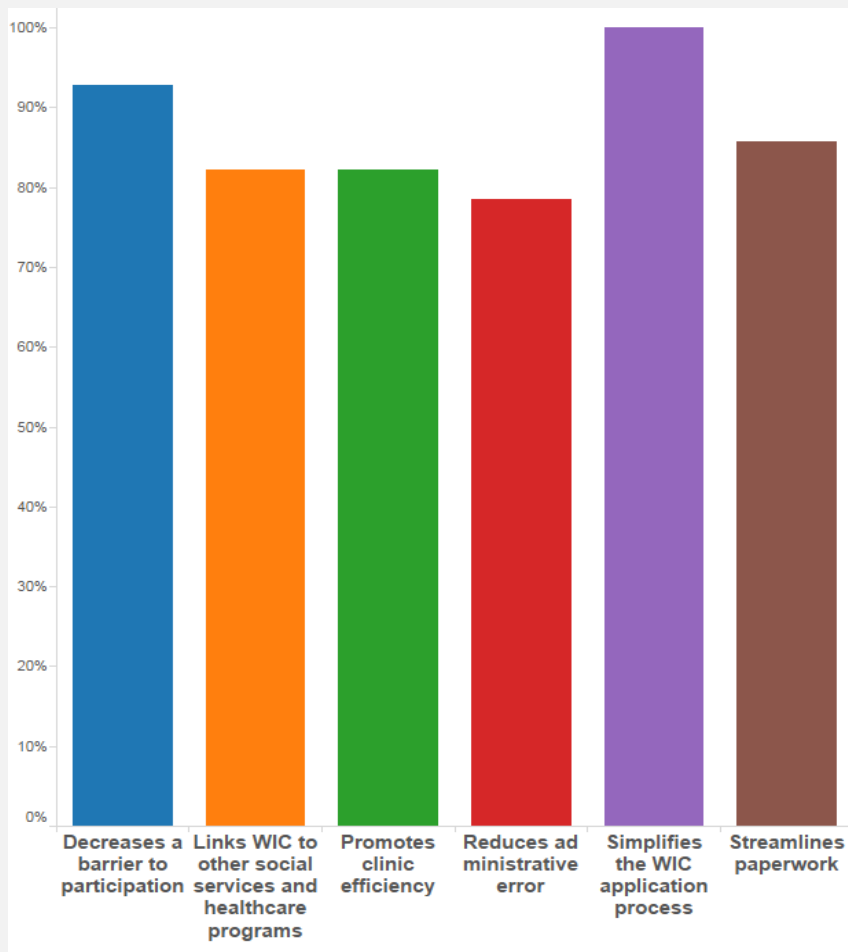
Number of Total WIC Participants Above & Below the Federal Poverty Line



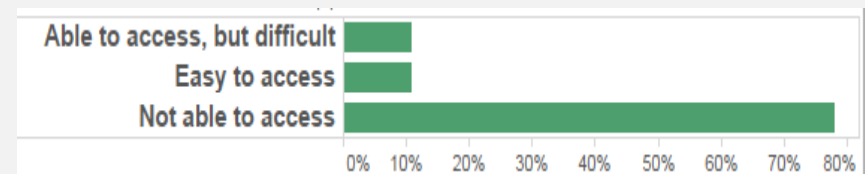
Source: USDA Economic Research Service, WIC Participant & Program Characteristics (see Table III.6) <http://www.fns.usda.gov/sites/default/files/WICPC2012.pdf>

3. NWA SURVEYED WIC STATE AGENCIES AND SHARED DATA WITH MEMBERS OF CONGRESS ABOUT THE CURRENT ADJUNCTIVE ELIGIBILITY PROCESS

What are the main benefits of Medicaid adjunctive eligibility?



How easily are you able to access participant income information that is collected by Medicaid?



IT'S BEEN A FIGHT!

SENATE AGRICULTURE COMMITTEE BILL

- Protects adjunctive eligibility and calls for a study about it
- Gives states the option to extend WIC to six years old for children not enrolled in full-day kindergarten
- Gives states the options to certify infants for 2 years with a less intensive check-in at 1 year
- Increased administrative responsibilities

THERE'S STILL A LONG WAY TO GO

- Hearings
- Marker bills introduced
- **House Education and the Workforce Committee /Senate Agriculture Committee** mark-ups of their respective bills
- **House and Senate Floor Debate**
- **House and Senate vote on their versions of the bill**
- **Once passed, the bills are conferenced to iron out differences**
- **House and Senate vote on conferenced agreement**
- **If passed, bill is signed into law, or vetoed and returned for more work or an override.**

AND, WE EXPECT HOUSE MEMBERS
TO BE LESS GENEROUS WITH WIC.

EDUCATING MEMBERS ABOUT THE
VALUE OF WIC REMAINS
IMPORTANT!

NWA WILL BE LOBBYING FOR
THE SENATE BILL.

WIC FOOD PACKAGES



WIC FOOD PACKAGES

- Regulatory process
- Reviewed every 10 years
- USDA seeks recommendations from 3rd party scientific body, the National Academy of Medicine, formerly the Institute of Medicine (IOM)
- Currently in the scientific review process

FOOD PACKAGE CHALLENGE: LEGISLATIVE MANDATES

- Potato precedent
- Threat: future legislative mandates/compromised scientific integrity
- Policy vehicles: Appropriations and Reauthorization bills

STAY TUNED FOR MORE ABOUT THE
LATEST ON WIC FOOD PACKAGES
PROCESS LATER IN THE CONFERENCE!

ADVOCACY

- It becomes increasingly important to tell the WIC story to policymakers!

IT BECOMES INCREASINGLY
IMPORTANT TO TELL THE WIC STORY
TO POLICYMAKERS!



National WIC Association
WIC for a Healthier America



Advocacy vs. Lobbying

As the nation's premier public health nutrition program, WIC is a cost-effective, sound investment—insuring the health of our children.

NWA'S MISSION

NWA inspires and empowers the WIC community to advocate for and promote quality nutrition services for all eligible mothers and young children, and assure effective management of WIC.

Advocacy

Advocacy refers to speaking out on issues or supporting a proposal or a cause.

Lobbying

Lobbying is one type of advocacy legally defined by the Internal Revenue Service (IRS). The IRS defines two types of lobbying – direct lobbying and grassroots lobbying.

Direct Lobbying

A direct lobbying communication is any attempt to influence legislation through communication with any member or employee of a legislative body or any other government official or employee who may participate in the formulation of the legislation through communication that refers to specific legislation and reflects a view on that legislation.

Grassroots Lobbying

A grassroots lobbying communication is any effort to influence legislation by attempting to affect the opinions of the general public or any segment of the public through communication that refers to specific legislation, reflects a view on that legislation, and encourages the recipient to contact a legislator, employee of a legislative body, or any other government official or employee about the legislation.

Examples of Direct Lobbying	Examples of Grassroots Lobbying
Emailing a member of Congress to vote yes on H.R. 2112 while on paid work time	Sending an action alert to a listserv to encourage them to email their Congressmen and telling them to vote yes on H.R. 2112.
If a bill is introduced that contains a provision that cuts WIC funding, speaking out against that funding cut measure to a Congressional staff member	If a bill is introduced that contains a provision that cuts WIC funding, telling people in your email address book to speak out against that funding cut measure to a Congressional staff member
Telling a member of Congress to support the President's budget proposal for WIC	Requesting friends and colleagues to urge a Member of Congress to support the President's budget proposal for WIC

ADVOCACY VS. LOBBYING

ADVOCACY

- Advocacy refers to speaking out on issues or supporting a proposal or cause.

LOBBYING

- **Lobbying is one type of advocacy** legally defined by the Internal Revenue Service (IRS)
- A lobbying communication:
 - Refers to **specific legislation or measures** in a piece of legislation
 - **Reflects a view** on that legislation, and
 - **Involves a communication** with any member or employee of a legislative body or any other government official or employee who may participate in the formulation of the legislation (direct lobbying) **OR encourages the recipient to contact** a legislator, employee of a legislative body, or any other government official or employee (grassroots lobbying)

NON-LOBBYING ADVOCACY

- **Educating** the public and members of Congress about WIC
- **Highlighting** the achievements of WIC clinics in the media
- **Hosting** events that promote, celebrate, or inform about WIC

ACTIVITY: LOBBYING VS. ADVOCACY

- The House is voting on a budget bill that would harm WIC, so you call your Congressman and tell him to vote against the bill.
- You get an NWA action alert to sign a letter stating the benefits of WIC, so you click to email your member of Congress.
- You do an interview with the local radio station on how funding shortfalls are influencing client services.

ACTIVITY: LOBBYING VS. ADVOCACY

- You host your district's member of Congress at the clinic, explaining all the wonderful aspects of WIC. The Congresswoman ends up talking with a WIC client who is aware of a bill to cut funding for WIC. The client expresses her disapproval.
- There's a bill to restore funding to WIC, so you tell your friends to call their Congressmen and request support of the bill.

YOU ARE PERMITTED AND ENCOURAGED TO LOBBY

- It is your democratic right
- Each state has specific laws for state employees about lobbying efforts while on the job
- Private money can be used on lobbying, federal funds generally cannot
- If you are confused..
 - Limit lobbying efforts to coffee breaks, lunch breaks, after hours and other times not considered “work time”
 - Focus your time on educating about the value of WIC

DURING NWA'S LEADERSHIP
CONFERENCE
YOU WILL BE
EDUCATING AND
DOING NON-LOBBYING
ADVOCACY.

NOW MORE THAN EVER,
WE NEED YOUR VOICE FOR
WIC FAMILIES!



KEEP INFORMED ABOUT WHERE CONGRESS IS IN THE PROCESS!

- Weekly Legislative Updates NWA's Monday Morning Report
- All Legislative Updates are posted on NWA's blog to get up to speed on the latest issues



The screenshot shows the National WIC Association website. At the top left is the NWA logo, a stylized blue figure of a woman holding a child. To its right is the text 'National WIC Association' and a tagline: 'NWA is the non-profit education arm and advocacy voice of the Special Supplemental Nutrition Program for Women, Infants and Children (WIC)'. On the top right are social media icons for Facebook, Twitter, and Pinterest, with a red 'DONATE to NWA' button below them. A navigation bar below the header contains links: 'WIC BASICS', 'NEWS', 'EVENTS', 'ADVOCACY', 'TOPICS & RESOURCES', 'EDUCATION', and 'MEMBERSHIP'. The main content area features a 'NEWS & BLOG' sidebar on the left. The central article is titled 'Weekly WIC Policy Update' with a date of 'February 9, 2015'. The article text begins with a '2016 Budget Update' section, stating that House Appropriations Committee Chairman Hal Rogers (R-KY) has scheduled several hearings on President Obama's FY 2016 budget request. It also mentions that hearings will take place before other committees in the House and Senate. The next section is the 'Affordable Care Act Update', which reports that the House passed H.R. 596 by a vote of 239-186. H.R. 596, if enacted, would repeal the 2010 Affordable Care Act and direct three House committees to draft replacement legislation. The article is partially cut off at the bottom. On the right side of the article, there is a 'SHARE' section with icons for Facebook, Twitter, Google+, LinkedIn, and Email, along with a counter showing '0' shares. Below this is a 'WASHINGTON UPDATE' section with the text 'Get email updates on WIC policy news and action alerts.' and a 'SUBSCRIBE' button.

National WIC Association
NWA is the non-profit education arm and advocacy voice of the Special Supplemental Nutrition Program for Women, Infants and Children (WIC).

[f](#) [t](#) [p](#)
DONATE to NWA

WIC BASICS ▾ NEWS ▾ EVENTS ▾ ADVOCACY ▾ TOPICS & RESOURCES ▾ EDUCATION ▾ MEMBERSHIP ▾

NEWS & BLOG

WASHINGTON UPDATE

Weekly WIC Policy Update

February 9, 2015

2016 Budget Update: House Appropriations Committee Chairman Hal Rogers (R-KY) has scheduled several hearings this week on President Obama's FY 2016 budget request. Hearings on the president's budget will also take place before other committees in the House and Senate this week.

Affordable Care Act Update: Last week, the House passed H.R. 596 by a vote of 239-186. H.R. 596, if enacted, would repeal the 2010 Affordable Care Act and direct three House committees to draft replacement legislation. Senate Majority

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WASHINGTON UPDATE
Get email updates on WIC policy news and action alerts.

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QUESTIONS? COMMENTS?