Indiana State Department of Health
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Mitchell E. Daniels, Jr.
Governor

Judith A. Monroe, M.D.
State Health Commissioner

DATE: August 31, 2009

TO: EXECUITVE BOARD
ISDH

FROM: JoEllen Vrazel, Ph.D.
Assistant Commissioner, Health and Human Services Commission

RE: Adoption of Emergency Rule for changes to WIC rule: 410 IAC 3.6-1 through 410 IAC 3.6-6

The Indiana State Department of Health (ISDH), Women, Infants and Children (WIC) Division, requests the Executive Board, at the Board's September 9, 2009 meeting, to adopt this emergency rule amending the administrative rule governing the WIC Programs Vendor Management Section (410 IAC 3.6-1 through 410 IAC 3.6-6). This emergency rule would go into effect on October 1, 2009 and would be in effect for 90 days.

The primary reason for the request is a result of the United States Department of Agriculture-Food and Nutrition Services (USDA-FNS) interim final rule revising the WIC foods and food packages. This interim final rule was published in the Federal Register on December 6, 2007. State agencies must implement the provisions no later than October 1, 2009.

The proposed amendments would add new definitions, modify the selection of vendor procedures, modify department sanctions, update and modify minimum stocking requirements and modify documents incorporated by reference.

The ISDH has initiated the rulemaking process to make the above changes permanent. This emergency rule is necessary to make the changes required by the USDA to cover the period from October 1, 2009 until a final rule can be promulgated.