



TENNESSEE DEPARTMENT OF HEALTH  
DIVISION OF FAMILY HEALTH AND WELLNESS  
AMENDMENT TO WIC VENDOR AGREEMENT  
FOR 2014 - 2016

TENNESSEE DEPARTMENT OF HEALTH

and

\_\_\_\_\_  
(vendor name)

for

AUTHORIZATION TO PARTICIPATE IN THE TENNESSEE WIC PROGRAM

WHEREAS, the Tennessee Department of Health and \_\_\_\_\_  
(Vendor Name)

desired to enter into an agreement beginning on \_\_\_\_\_  
(Month, Date, Year)

relating to participation in the Tennessee WIC Program.

NOW, THEREFORE, the parties hereby agree as follows:

To amend the following in "Section II. THE VENDOR AGREES" by removing the following clause as currently worded,

(21b) to acknowledge that non-compliance with clauses (1a), (4) through (8b), (13) through (15b) and (19) of this section of this agreement may result in disqualification from the WIC Program. (The vendor shall be warned following the first act of non-compliance that could result in a pattern of non-compliance, unless such notification would compromise an investigation or as further clarified in the WIC Vendor Handbook.);

And replacing it with:

(21b) to acknowledge that non-compliance with clauses (1a), (4) through (9), (13) through (15b) and (19) of this section of this agreement may result in disqualification from the WIC Program. (The vendor shall be warned following the first act of non-compliance that could result in a pattern of non-compliance, unless such notification would compromise an investigation or as further clarified in the WIC Vendor Handbook.);

It is also agreed that "Section III. BOTH PARTIES AGREE AS FOLLOWS", states in clause (10), "The WIC Vendor Handbook is part of this agreement and is incorporated by reference". Therefore, "III. State Sanctions Established by the Tennessee WIC Program" on pages 34 and 35 of the "WIC Vendor Handbook for 2014 – 2016" is deleted as currently worded and replaced with the following:

\*Newly added

**I. State Sanctions Established by the Tennessee WIC Program.**

**A. One-Year Disqualification for First Violation for:**

1. providing false information on the “Vendor Application for Authorization to Participate in the Tennessee WIC Program”
2. providing false information on the WIC Grocer Price Report;
3. failing to allow any authorized WIC representative the right to inspect FIs or CVVs on hand;
4. failing to withhold deposit of WIC FIs or CVVs for up to seven (7) days upon request of an authorized WIC representative;
5. failing to produce bills of lading or invoices upon request of an authorized WIC representative that are on commercially printed invoice and/or receipt paper, readable and presented in a logical way, including those for infant formula purchases; or
6. failing to provide food sales information upon request of an authorized WIC representative.
7. failing to pay, only partially pays, or fails to timely pay a claim amount assessed as a result of a compliance investigation.

**B. Six-month Disqualification for First Violation and One-Year Disqualification for Second Violation for:**

1. failing to lower prices on approved WIC foods upon request of an authorized WIC representative;
2. failing to allow employee training on WIC procedures including having in place an effective policy and program to prevent trafficking;
3. failure of ownership/management to be knowledgeable of WIC procedures and be accountable for employee actions;
4. collecting reimbursement from a WIC participant(s) for a FI(s) or CVV(s) returned unpaid from the WIC Program’s bank contractor;
5. failing to treat all WIC participants the same regardless of race, color, national origin, age, disability, sex, gender, and reprisal;
6. failing to meet minimum stock requirements for approved WIC foods including having stock within eligible product dates;
7. failing to provide suitable hours and environment for participant access including, but not limited to, not restricting the hours to redeem WIC FIs and CVVs, not keeping WIC participants from using a check-out available to all other customers, and not acting in a way that abuses or embarrasses a WIC participant;
8. failing to offer WIC participants any courtesies offered other customers including, but not limited to, bonus cards, multiplying of coupon values and additional products for free;
9. requiring WIC participants to sign WIC FIs or CVVs without first entering the redeemed date and/or redeemed amount;
10. failing to obtain a signature on WIC FIs or CVVs at the time of the transaction;
11. transacting WIC FIs or CVVs not valid for the month in which they are transacted;
12. failing to conduct WIC transactions only on the vendor’s premises;
13. \*failing to submit, including failing to return by the required date, the appropriate WIC Grocer Price Report and/or the Therapeutic Price Report Sheet(s); or
14. \*failing to have hours posted and/or adhering to the posted hours.

NOW, THEREFORE, I have read and do understand and agree to the above changes. The undersigned represents that he/she is either the sole proprietor of the firm or is legally authorized to enter in this amendment on behalf of the ownership of the firm.

\_\_\_\_\_  
Signature of WIC Vendor or Designee Title Date

\_\_\_\_\_  
Signature of Regional Office Designee Title Date

THIS AMENDMENT STARTS \_\_\_\_\_ AND ENDS SEPTEMBER 30,  
2016. Date

\_\_\_\_\_  
Owner Manager WIC Contact Person

\_\_\_\_\_  
Street Address City State Zip Code

\_\_\_\_\_  
Phone Number

VENDOR STAMP: