

**WAC 246-770-050 Fruit and vegetable vouchers for health care systems.** (1) To become a health care system authorized to distribute fruit and vegetable vouchers, an applicant must:

(a) Apply as a health care system on a form determined by the department;

(b) Complete all required training on fruit and vegetable voucher requirements offered by the department; and

(c) Receive a contract from the department signed by both the department and the applicant.

(2) The department is not required to authorize all applicants. Priority authorization will be given to applicants that:

(a) Routinely screen patients for food insecurity;

(b) Have a high percentage of patients who are medicaid clients;

(c) Are located in a county with a high level of food insecurity;

(d) Are a federally qualified health center or tribal health clinic;

(e) Have previously operated fruit and vegetable voucher programs; or

(f) Plan to distribute fruit and vegetable vouchers to people who have, or are at risk of developing, a qualifying health condition.

(3) An authorized health care system must reapply at the end of the current contract period; however, neither the department nor the participant has an obligation to renew a contract.

(4) The authorized health care system must, at a minimum:

(a) Comply with the fruit and vegetable voucher requirements and the terms of their contract;

(b) Have at least one staff member who has completed training for fruit and vegetable vouchers;

(c) Accept annual training and other technical assistance on fruit and vegetable voucher requirements from department staff;

(d) Be accountable for the actions of employees and volunteers;

(e) Ensure fruit and vegetable vouchers are only distributed to eligible participants;

(f) Consistently follow a distribution plan to assure equitable access to fruit and vegetable vouchers;

(g) Comply with federal and state nondiscrimination laws;

(h) Comply with federal laws regarding patient privacy, specifically the Health Insurance Portability and Accountability Act of 1995 and any regulations enacted to its provisions ("HIPAA Standards") and Washington state law;

(i) Ensure that participants receive the same courtesies as other customers;

(j) Promptly provide the department, upon request, with any information it has available regarding its participation in offering fruit and vegetable vouchers;

(k) Allow the department to share information about the health care system's participation related to fruit and vegetable vouchers with program partners and in public reports;

(l) Allow the department to monitor the health care system for compliance with fruit and vegetable voucher requirements;

(m) Notify the department immediately if the health care system's operations cease; and

(o) Comply with department instructions and guidance with respect to the program.

(5) Authorized health care systems that do not comply with requirements in this chapter are subject to termination of their contract. Such noncompliance includes, but is not limited to:

- (a) Violating the provisions of the contract; or
- (b) Distributing fruit and vegetable vouchers without having a signed contract with the department.
- (6) Prior to contract termination, the department must consider whether the disqualification would create undue hardships to participants.
- (7) Any trafficking in fruit and vegetable vouchers in any amount will result in contract termination. Health care systems should ensure fruit and vegetable vouchers are not trafficked among any of their organization's participants.
- (8) An authorized health care system that has a terminated contract may reapply for reauthorization.

[Statutory Authority: RCW 43.70.780. WSR 23-16-149, § 246-770-050, filed 8/2/23, effective 9/2/23.]