

**WSR 23-22-061**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF HEALTH**

[Filed October 25, 2023, 10:05 a.m.]

Subject of Possible Rule Making: Special supplemental nutrition program for women, infants, and children (WIC). The department of health (department) is considering amending chapter 246-790 WAC to increase flexibility in allowed vendor types and update program requirements for vendors. The department is also considering amendments to the participant compliance rules to reflect virtual service options.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.70.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department administers the special supplemental nutrition program for WIC, which allows participants to purchase certain foods from authorized vendors using their WIC benefits. The department is considering expanding the allowed WIC vendor types and making updates to vendor requirements. This would increase participant choice for where to use their benefits, may increase access for participants in rural areas, and may improve customer service for WIC participants.

As part of the COVID-19 pandemic response, virtual services were necessary to offer WIC participants when many in-person operations were suspended. Many participants continue to use virtual services, and the department has seen an increase in participation and a decrease in missed appointments. The department is continuing to offer virtual appointments in addition to in-person services. To continue the virtual services, amendments may be needed to reflect differences in how services are offered virtually compared to in person.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Agriculture Food and Nutrition Service administers the WIC program. The department will ensure that any rules adopted will align with federal rules.

Process for Developing New Rule: [No information supplied by agency].

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Karen Mullen, P.O. Box 47380, Olympia, WA 98504-7903, phone 360-515-8279, email karen.mullen@doh.wa.gov; or Me'Kyel Bailey, P.O. Box 47380, Olympia, WA 98504-7903 [7380], phone 360-767-9161, email mekyel.bailey@doh.wa.gov.

Additional comments: To receive notifications regarding this rule making, please contact either Karen Mullen or Me'Kyel Bailey to be added to the department's interested parties list.

October 25, 2023  
Kristin Peterson, JD  
Chief of Policy  
for Umair A. Shah, MD, MPH  
Secretary