

**4617.0068 OPERATING REQUIREMENTS.****Subpart 1. Acceptance and pricing of vouchers and cash-value vouchers.**

A. A pharmacy vendor shall not accept WIC cash-value vouchers or vouchers for any foods other than special infant formula, unless the pharmacy vendor is also a retail food vendor.

B. For each voucher or cash-value voucher accepted by a vendor, the vendor shall ensure that:

(1) the voucher or cash-value voucher is accepted at a check-out lane at the vendor's business site;

(2) the voucher or cash-value voucher is accepted on a date between the first-day-to-use date and the last-day-to-use date, inclusive, on the voucher or cash-value voucher;

(3) the date that the voucher or cash-value voucher is accepted is inserted on the voucher or cash-value voucher when the voucher or cash-value voucher is accepted;

(4) the price of the food purchased with the voucher or cash-value voucher is inserted in the space provided on the voucher or cash-value voucher before the WIC customer signs the voucher;

(5) the price inserted on the voucher or cash-value voucher reflects a discount in the amount of any store or manufacturer coupons presented by a WIC customer for the food purchased;

(6) the vendor does not charge the WIC program more for WIC-allowed food than the vendor's usual and customary charge to non-WIC customers;

(7) the vendor does not charge the WIC program more than the vendor's shelf price for the WIC-allowed food provided to the WIC customer at the time the vendor accepts the voucher or cash-value voucher in exchange for the food;

(8) the WIC customer signs the voucher or cash-value voucher at the time the WIC customer uses the voucher to obtain food;

(9) the cashier verifies that the signature of the individual who signs the voucher or cash-value voucher matches an authorized signature on the WIC ID folder;

(10) before deposit in the vendor's bank, the number on the vendor stamp has legibly been imprinted onto the voucher or cash-value voucher; and

(11) the voucher or cash-value voucher does not contain any alteration of the first-day-to-use date, last-day-to-use date, or food prescription.

Subp. 2. **Deposit of vouchers and cash-value vouchers.** A vendor shall deposit each voucher and cash-value voucher in the vendor's bank within 60 days of the first-day-to-use date on the voucher or cash-value voucher, except as provided in part 4617.0084, subpart 18, item C. The vendor may only deposit into the vendor's account vouchers and cash-value vouchers which were accepted at a check-out lane at the vendor's business site. The vendor may not transfer any vouchers or cash-value vouchers accepted by the vendor to anyone else for deposit in an account other than the vendor's account.

Subp. 3. **Access to vouchers and cash-value vouchers.** A vendor shall allow representatives of the Minnesota Department of Health and representatives of the United States Department of Agriculture access to vouchers and cash-value vouchers that are present at the vendor's business site on the day of an on-site monitoring visit and access to any cash register or other area of the vendor's premises where vouchers or cash-value vouchers may be located.

Subp. 4. **Three-year documentation of purchases.**

A. For a minimum of three years, a vendor shall maintain, in chronological order:  
(1) documentation showing the dollar amount of all food sales by the vendor;  
and

(2) documentation, including receipts or invoices, showing all purchases by the vendor while a vendor agreement was in effect of all WIC-allowed foods for which the vendor accepted one or more vouchers or cash-value vouchers.

B. All documentation required by this subpart shall specify the quantity, size, brand, and product name of each WIC-allowed food purchased by the vendor, the date of purchase, the name and address of the entity from which the purchase was made, and the date of delivery to the vendor.

C. Within 15 business days of a request by the commissioner, a vendor shall provide to the commissioner:

(1) the documentation required under this subpart; and  
(2) the vendor's inventory records relating to the inventory maintained during the two years before the commissioner's request.

Subp. 4a. **Three-month documentation of purchases.** During normal business hours, the vendor must have available for immediate review by WIC program representatives, at the Minnesota location indicated on the vendor application, the store's original documentation, including receipts and invoices, reflecting all purchases of WIC-allowed food items by the store during the most recent three months before a request by a WIC program representative to review the documentation.

Subp. 5. **Documentation of real estate ownership.** A vendor shall maintain documentation showing that one or more controlling persons of the vendor own or lease the real estate where the vendor's business site is located. A vendor shall provide this documentation to the commissioner within 30 days from the date of a request by the commissioner.

Subp. 6. **Notification requirements.** In addition to the notification required by part 4617.0066, subpart 1, a vendor must notify the commissioner of any change in controlling persons. A vendor must also notify the commissioner of any business-related violation of any cashier or controlling person of the vendor.

Subp. 7. **Annual training requirements.** A vendor shall ensure that:

A. a representative of the vendor completes WIC-approved training on the WIC program at least once every calendar year; and

B. the representative who completes this training conveys all information presented during the training to all cashiers of the vendor.

Subp. 8. [Repealed, 25 SR 555]

Subp. 9. **Shelf price surveys.** Within one month of a request by the commissioner, a vendor shall provide the commissioner with accurate and complete shelf price survey information in the format requested.

Subp. 10. **Shelf labels.** If the commissioner requests it due to a violation of this chapter, a vendor shall display in proximity to each WIC-allowed food a current shelf label provided or approved by the commissioner which indicates that the food item is a WIC-allowed food.

Subp. 11. **Receipts.** When a vendor accepts a WIC voucher or cash-value voucher, the vendor must provide a cash register receipt to the WIC customer. The receipt must include the date, the total price, and the price of each item received by the WIC customer.

Subp. 12. **Coupons.** A vendor shall accept store and manufacturer's coupons for food purchased by a WIC customer.

Subp. 13. **Bank account information.** If the commissioner has provided notice under part 4617.0090, subpart 1a, and if there is a change in the vendor's bank name, bank routing number, or bank account number for the account to which the vendor deposits WIC vouchers and cash-value vouchers, the vendor shall promptly inform the commissioner in writing of the change.

Subp. 14. **Purchase of infant formula.** A vendor shall only purchase infant formula from the entities on the list maintained by the commissioner under section 17(h)(8)(A)(ix) of the Child Nutrition Act of 1966, codified at United States Code, title 42, section 1786(h)(8)(A)(ix), as amended.

Subp. 15. **Volume of WIC sales.** A vendor's annual revenue from WIC sales may not be greater than 50 percent of the vendor's annual revenue from the sale of all food items.

**Statutory Authority:** *MS s 144.11; 145.894*

**History:** *22 SR 266; 25 SR 555; 29 SR 1202; 34 SR 790*

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