

**4617.0090 REJECTION OF VOUCHERS AND CASH-VALUE VOUCHERS AND REIMBURSEMENT BY VENDORS.**

Subpart 1. **Return without payment.** The bank which processes WIC vouchers and cash-value vouchers on behalf of the commissioner shall return a voucher or cash-value voucher to a vendor without payment if:

- A. the voucher or cash-value voucher is not stamped with a vendor stamp;
- B. the voucher or cash-value voucher is stamped with a vendor stamp which is illegible;
- C. the voucher or cash-value voucher is not signed by a WIC customer;
- D. the space provided on the voucher or cash-value voucher for the price of the food purchased is left blank by the vendor;
- E. there is no first-day-to-use or last-day-to-use date on the voucher or cash-value voucher;
- F. the commissioner has placed a stop-payment order on the voucher or cash-value voucher;
- G. the date that the WIC customer used the voucher or cash-value voucher to obtain food is before the first-day-to-use date or after the last-day-to-use date on the voucher or cash-value voucher;
- H. the vendor deposits the voucher or cash-value voucher before the first-day-to-use date on the voucher or cash-value voucher;
- I. the vendor does not initially deposit the voucher or cash-value voucher in the vendor's bank by the earlier of:
  - (1) 60 days after the first-day-to-use date on the voucher or cash-value voucher; or
  - (2) five days after the effective date of the vendor's disqualification or termination;
- J. the voucher or cash-value voucher was returned to the vendor under item A or B and the vendor does not redeposit the voucher or cash-value voucher in the vendor's bank by the earlier of:
  - (1) 90 days after the first-day-to-use date on the voucher or cash-value voucher; or
  - (2) five days after the effective date of the vendor's disqualification or termination;

K. the first-day-to-use date, last-day-to-use date, or food prescription on the voucher or cash-value voucher has been altered; or

L. the voucher or cash-value voucher is stamped with a vendor stamp other than a vendor stamp issued to the vendor by the commissioner under part 4617.0070.

Subp. 1a. **Return with credit.** Before this subpart applies, the commissioner shall give at least two months' written notice to vendors. If the price of the food purchased with a voucher or cash-value voucher exceeds the maximum price calculated by the commissioner for that voucher or cash-value voucher under part 4617.0088, subpart 1, the bank that processes WIC vouchers and cash-value vouchers on behalf of the commissioner shall:

A. return the voucher or cash-value voucher to the vendor;

B. not pay the price listed on the voucher or cash-value voucher;

C. for a voucher, credit the vendor in an amount equal to the maximum price calculated by the commissioner under part 4617.0088, subpart 1, or for a cash-value voucher, credit the vendor in an amount equal to the maximum price listed on the cash-value voucher; and

D. notwithstanding item C, not credit the vendor in any amount if the bank is unable to credit the vendor because of the vendor's failure to comply with part 4617.0068, subpart 13, or failure to provide accurate information on the vendor's most recent vendor application.

Subp. 2. **Payment of rejected vouchers and cash-value vouchers.**

A. A voucher or cash-value voucher returned to a vendor under subpart 1, item A or B, may be corrected by the vendor and redeposited in the vendor's bank within 90 days of the first-day-to-use date on the voucher or cash-value voucher.

B. A voucher or cash-value voucher returned to a vendor under subpart 1, item D or E, or for a reason not authorized by this part, may be submitted by the vendor to the commissioner for payment if:

(1) the voucher or cash-value voucher is received by the commissioner not more than 90 days after the first-day-to-use date on the voucher or cash-value voucher; and

(2) for a voucher or cash-value voucher returned to the vendor under subpart 1, item D, the vendor inserts the correct price and provides to the commissioner documentation showing that the vendor had failed to insert the correct price due to inadvertent error, oversight, or some other reason not inconsistent with the purposes of this chapter.

Subp. 2a. **Bank fees.** The commissioner is not liable for any bank fees incurred by a vendor.

Subp. 3. [Repealed, 29 SR 1202]

Subp. 4. **Vendor liability.** A vendor shall pay to the commissioner, within 30 days of a request by the commissioner, the amount of any overcharges paid by the commissioner to the vendor, the amount paid by the commissioner to the vendor in excess of the maximum price of the voucher or cash-value voucher calculated under part 4617.0088, subpart 1, the amount erroneously paid by the commissioner to the vendor for a voucher or cash-value voucher that should have been returned to the vendor without payment according to subpart 1, all money paid by the commissioner to the vendor for food items not received by a WIC customer, all money paid by the commissioner to the vendor for products other than WIC-allowed foods, and all money paid by the commissioner to the vendor for vouchers or cash-value vouchers accepted by the vendor while there was not in effect a WIC vendor agreement for the vendor. If the vendor does not pay these amounts within 90 days of the initial request by the commissioner, then, in addition to any other sanction specified in this chapter, the vendor must pay interest to the commissioner computed in the same manner that interest on judgments is computed under Minnesota Statutes, section 549.09.

Subp. 5. **Prohibited vendor conduct.** A vendor shall not seek reimbursement from any WIC customer for a voucher or cash-value voucher not paid according to this part, for any banking charges paid by the vendor as a result of the nonpayment of a voucher or cash-value voucher, or for any money paid by the vendor to the commissioner according to this part. A vendor shall not require a WIC customer to provide a signature that was not provided at the time the voucher or cash-value voucher was used to buy food from the vendor.

**Statutory Authority:** *MS s 144.11; 145.891 to 145.897*

**History:** *13 SR 1190; 22 SR 266; 29 SR 1202; 34 SR 790*

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