

<p style="text-align: center;">Nutrition Services Department of State Health Services</p>

Effective: April 1, 2007

Policy No. WV:05.0

**Appeal Procedure for Late Submission of Food
Instruments/Transactions**

Purpose

To provide an avenue of appeal for vendors who can demonstrate that an unusual circumstance or event occurred which precluded their submitting the food instruments/transactions to the state agency (SA) within the prescribed time limitation.

Authority

Vendor Agreement

Policy

An authorized vendor may appeal a claim reduced for late submission of WIC food instruments/transactions. There is no appeal process for non-payment of invalid WIC food instruments/transactions. Vendors are responsible for training store staff on submission requirements and procedures.

Procedures

- I. A late submission appeal request must be received within 60 days of notification of reduction. Notification of reduction is found on the Claim Grid/Settlement File vendors receive when payment is made.

- II. The vendor must provide an explanation or event that prevented the timely submission of the food instruments/transactions. If the WIC EBT late claim submission was the result of a State rejected error file, the vendor must include this information in their written explanation specifying the original claim file name that was rejected.

<p style="text-align: center;">Nutrition Services Department of State Health Services</p>

Effective: April 1, 2007

Policy No. WV:05.0

- III. A store outlet is allowed only one late submission appeal approval for paper food instruments within a 12-month period. There is no guarantee that appeal requests will be approved.

- IV. During the first four (4) months of WIC EBT rollout in a store's Local Agency area, a store is allowed no more than three (3) WIC EBT appeal approvals. Once the Local Agency's WIC EBT four-month rollout period has lapsed, the store outlet will be allowed only one (1) WIC EBT appeal approval within a 12-month period. There is no guarantee that appeal requests will be approved.

- V. All appeal requests must be received by the state agency by November 30th following the fiscal year in which the food instruments/benefits were issued. The federal fiscal year used by WIC is defined as the period of October 1st through September 30th.

- VI. A vendor must submit his written appeal to the SA at the following address:

Department of State Health Services
Nutrition Services
Food Issuance and Redemption Services Unit
1100 West 49th Street
Austin, Texas 78756

- VII. Appeals that are in excess of \$500 require approval from the United States Department of Agriculture (USDA) before payment can be authorized. Appeals to USDA increase the timeframe for determination regarding payment. There is no guarantee that appeal requests will be approved.

- VIII. If the outlet's appeal is denied, the store will receive written notification explaining the reason for the denial.