



Reply to SF-110
Attn. of:

OCT 17 1994

Subject: WIC Policy Memorandum: #95-2
Clarification of Allowability of Transportation
Costs for WIC Participants

To:
Regional Directors
Supplemental Food Programs
All Regions

This memorandum provides clarification of our policy on the allowability of transportation costs for WIC participants.

Section 246.14(c)(7) of the WIC regulations authorizes the transportation of rural WIC participants to and from WIC clinics as an allowable nutrition services and administration (NSA) cost when prior approval has been granted by the State agency and documentation that such service is considered essential to assure program access has been filed at the State agency. This policy memorandum extends the allowable use of NSA funds to transportation costs for WIC participants to and from WIC clinics in "nonrural" areas.

At the time this provision was developed, it was envisioned that lack of an adequate transportation network was limited to rural areas. Since that time, State agencies have advised us that inadequate transportation networks are not limited to rural areas, and the lack of such transportation has been cited as a serious barrier to rapid program expansion and a primary reason for participants failing to keep WIC appointments. In keeping with the underlying rationale for the provision, State agencies have purchased mobile vans to deliver services to participants in "nonrural" areas. Because State agencies may purchase vans to bring WIC services to participants, it seems only reasonable to allow the transportation of WIC participants to WIC clinic sites in situations, rural or nonrural, where access is a barrier.

State agencies should, however, consider other competing demands for NSA funds when developing policies related to transporting participants to and from WIC clinics. It should be noted that alternatives to providing transportation to participants exist, such as establishing fixed-location satellite clinics or mobile WIC clinic vans, or new local clinics in strategic locations with sufficient access to public transportation. State agencies may want to limit approvals to those areas where transportation is urgently needed to ensure access and where they stand to get the biggest return in terms of increased participation. All expenses, direct and indirect, of establishing and providing transportation must be evaluated against the value of WIC benefits.

State agencies that opt to provide transportation to and from WIC clinics may charge a nominal fee for providing such service. The State agency must advise participants that the provision of transportation is offered as a convenience to the participant and is not a condition of eligibility. Where such fees are charged, the proceeds must be treated as an "applicable credit" against expenditures for program costs, as discussed in A-87, Attachment A, paragraph C.3. and A-122, Attachment A, paragraph A.5. As the proceeds were generated with funds appropriated for WIC, they must remain in the Program.

Finally, State agencies should be aware that approving local use of NSA funds for transportation of some participants may raise issues of fairness and civil rights concerns, whereby participants residing in areas where transportation to and from the WIC clinic is not provided may argue that they too qualify or deserve such a service given their circumstances. This underscores the need for a well developed public rationale by State agencies for allowing provision of transportation assistance to certain participants in which there is no ability to perceive discriminatory policy.

The State agency policy for approving transportation of participants to and from WIC clinics must be reflected in the portion on the State Plan describing plans to provide program benefits to eligible persons most in need of benefits.

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The contents of this guidance document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.