

By Senator Garcia

40-03640-08

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1 A bill to be entitled

2 An act relating to maternal and child health programs;  
3 amending s. 383.011, F.S.; requiring the Department of  
4 Health to implement an electronic benefits transfer system  
5 for the Special Supplemental Nutrition Program for Women,  
6 Infants, and Children (WIC); revising the method by which  
7 the Bureau of WIC and Nutrition Services calculates the  
8 statewide average retail price of certain items; requiring  
9 the department to petition the United States Department of  
10 Agriculture regarding certain price increases; providing  
11 for the sale, conveyance, or devise of certain  
12 establishments; requiring reauthorization of contracts  
13 with WIC-approved vendors; prohibiting WIC-approved  
14 vendors from discontinuing certain generic products;  
15 providing an effective date.

16  
17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Subsection (3) is added to section 383.011,  
20 Florida Statutes, to read:

21 383.011 Administration of maternal and child health  
22 programs.--

23 (3) The Department of Health shall:

24 (a) Implement an electronic benefits transfer (EBT) system  
25 for the WIC program by October 1, 2008.

26 (b) Require the Bureau of WIC and Nutrition Services to  
27 calculate the statewide average retail price of each WIC-eligible  
28 product by item rather than by WIC check or voucher.

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29        (c) Contact the Division of Food and Nutrition Services of  
30 the United States Department of Agriculture when notified by a  
31 manufacturer of a price increase on any WIC-eligible product and  
32 request authorization from the Division of Food and Nutrition  
33 Services to allow food retailers to increase the price for the  
34 same WIC-eligible product by the same percentage.

35        (d) Authorize a vendor who owns a WIC-approved retail store  
36 that sells WIC-eligible products at markups that exceed 50  
37 percent to sell, convey, or devise the store to any qualifying  
38 vendor.

39        (e) Require annual reauthorization of the contract of an  
40 existing WIC-approved vendor who is in compliance with department  
41 requirements.

42        (f) Prohibit a WIC-approved vendor from discontinuing any  
43 WIC-eligible generic product unless the product no longer meets  
44 the nutritional guidelines of the WIC program.

45        Section 2. This act shall take effect July 1, 2008.