

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 664 Session of 2023

INTRODUCED BY BULLOCK, CEPEDA-FREYTIZ, HILL-EVANS, SANCHEZ, HANBIDGE, RABB, MADDEN, DELLOSO, BURGOS, KINKEAD, PARKER, INNAMORATO, OTTEN, KHAN, HOWARD AND KRAJEWSKI, MARCH 23, 2023

AS REPORTED FROM COMMITTEE ON CHILDREN AND YOUTH, HOUSE OF REPRESENTATIVES, AS AMENDED, MAY 2, 2023

AN ACT

1 Establishing the Women, Infants and Children State Advisory
2 Board.

3 The General Assembly finds and declares as follows:

4 (1) The Commonwealth intends to maximize the Federal
5 funding available for the Pennsylvania Special Supplemental
6 Nutrition Program for Women, Infants and Children by
7 maximizing participation and enrollment in the program to
8 support healthier pregnancies, maternal outcomes, births and
9 birth outcomes, improving health in pregnant women,
10 postpartum women, children and infants in this Commonwealth
11 and coordinating with other programs that support women,
12 infants and children.

13 (2) Immediate action is needed to halt the steady
14 decline in WIC participation and enrollment and the resultant
15 decrease in Federal funding and nutritional assistance for
16 Pennsylvania's lower-income women, infants and children, by
17 increasing the use of technology and administrative

1 organization and by greater transparency in operation and use
2 of Federal funding.

3 (3) It is necessary to steadily increase participation
4 and enrollment in programs that support women, infants and
5 children, eliminate enrollment barriers, coordinate and
6 connect with related programs and maximize technology to
7 improve maternal and infant birth outcomes and the health of
8 children eligible for participation in the program.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Short title.

12 This act shall be known and may be cited as the WIC State
13 Advisory Board Act.

14 Section 2. Definitions.

15 The following words and phrases when used in this act shall
16 have the meanings given to them in this section unless the
17 context clearly indicates otherwise:

18 "Board." The Women, Infants and Children State Advisory
19 Board established in section 3.

20 "Department." The Department of Health of the Commonwealth.

21 "Enrollment." The number of active WIC participants who are
22 eligible to receive food benefits.

23 "Food instrument." A voucher, check, electronic benefits
24 transfer (EBT) card, coupon or other document that is used by a
25 participant to obtain supplemental foods.

26 "Participation." The number of individuals who have received
27 WIC food benefits on a food instrument.

28 "WIC." The Pennsylvania Special Supplemental Nutrition
29 Program for Women, Infants and Children.

30 Section 3. Establishment.

1 The Women, Infants and Children State Advisory Board is
2 established in the department.

3 Section 4. Topics.

4 (a) Advising.--The board shall advise the department on the
5 following WIC topics: <--

6 (1) The operation of the programs, to:

7 (i) Increase enrollment and utilization of the
8 programs.

9 (ii) Improve the quality of services to support
10 connections between WIC and comprehensive services to
11 address the social, health, educational and other needs
12 of pregnant individuals, mothers, infants and children.

13 (2) Outreach initiatives to increase participation and
14 enrollment in the program, including any underserved
15 populations.

16 (3) Technology improvements or enhancements for program
17 operations, efficacy and efficiency, including:

18 (i) Incorporating the use of technology and
19 modernization tools that remove barriers for program
20 participants, including the potential to load benefits
21 remotely and purchase WIC benefits online.

22 (ii) Developing and maximizing the use of telehealth
23 technology for the increased convenience of program
24 participants.

25 (iii) Coordinating and collating services to improve
26 efficiency and effectiveness of those services.

27 (IV) ESTABLISHING SECURITY MEASURES TO PROTECT WIC <--
28 PARTICIPANTS' PERSONAL INFORMATION AND PREVENT FRAUDULENT
29 ACTIVITY IN THE USE OF WIC BENEFITS.

30 (4) INCREASING AWARENESS AND SUPPORT OF WIC

1 BREASTFEEDING SERVICES FOR WIC PARTICIPANTS.

2 (5) INCREASING ACCESS TO WIC-AUTHORIZED STORES FOR WIC
3 PARTICIPANTS.

4 (b) Other topics.--The board may advise the department on
5 other topics bearing on the program.

6 Section 5. Duties.

7 The board shall have the following duties:

8 (1) Review current aggregate data on WIC eligibility and
9 participation and enrollment at the State level from the
10 department.

11 (2) Become familiar with the WIC Policy Manual and WIC
12 State plan.

13 (3) Advise on best practices that are used in other
14 states.

15 (4) Consult with organizations and other agencies that
16 work with WIC participants in fulfilling duties under this
17 act.

18 (5) Advise the department on the topics enumerated in
19 section 4.

20 Section 6. Membership and meetings.

21 (a) Membership.--The board shall consist of the following
22 members:

23 (1) The following individuals shall be ex officio
24 members of the board:

25 (i) The Secretary of Health or a designee who shall
26 be an employee of the department.

27 (ii) The Director of WIC or a designee who shall be
28 an employee of the department with specialized knowledge
29 of WIC.

30 (iii) Two subject matter experts, as determined by

1 the Secretary of Health or a designee.

2 (2) Remaining members of the board shall include the
3 number of representatives from each of the following
4 categories as indicated, for a total of ~~14~~ 15 remaining <--
5 members:

6 (i) Two medical professionals with expertise in
7 serving women and children from underserved populations, <--
8 ONE OF WHOM IS A PEDIATRIC PHYSICIAN.

9 (ii) Two advocates focused on addressing food
10 insecurity.

11 (iii) Two child or maternal advocates.

12 (iv) Three WIC participants, each representing a
13 different region of this Commonwealth.

14 (v) One representative from two different WIC-
15 authorized stores or representatives or designees of WIC-
16 authorized stores, for a total of two, with preference
17 being for one representative from a store located in an
18 urban area and one representative from a store located in
19 a rural area, as determined by the Secretary of Health.

20 (vi) One representative from each of three different
21 WIC local agencies, for a total of three representatives,
22 each representing a different region of this
23 Commonwealth.

24 (VII) ONE BREASTFEEDING EXPERT. <--

25 (b) Chair.--The Secretary of Health or the Secretary of
26 Health's designee shall serve as chair of the board. The
27 following apply:

28 (1) At the first board meeting, board members shall
29 self-select a vice chair and secretary.

30 (2) The vice chair shall assist in the agenda creation

1 and meeting organization.

2 (3) The Secretary of Health shall select a board member
3 to fill the vice chair's obligations in the vice chair's
4 absence.

5 (4) The secretary of the board shall capture and
6 distribute meeting minutes.

7 (c) Quorum.--Ten board members under subsection (a)(2) shall
8 constitute a quorum.

9 (d) Voting.--Only board members under subsection (a)(2)
10 shall have voting rights. The vote of the majority of the quorum
11 of board members shall prevail.

12 (e) Appointment and terms.--

13 (1) The Secretary of Health shall appoint members of the
14 board under subsection (a)(2) for staggered three-year terms,
15 as determined by the Secretary of Health, for a term not to
16 exceed three consecutive years.

17 (2) A board member whose term has expired shall continue
18 as a member of the board until a replacement has been
19 appointed. The member shall have full voting rights and count
20 for purposes of establishing a quorum. In no event shall a
21 member continue to serve on the board beyond six months from
22 the date of term expiration.

23 (3) Ex officio members or their designees shall serve so
24 long as the official continues to serve in an official
25 position.

26 (f) Vacancies.--Vacancies in the membership of the board
27 shall be filled within 45 days of the vacancy in the same manner
28 as provided for the original appointments.

29 (g) Staffing.--The board shall be staffed in collaboration
30 with individuals from the department.

1 (h) Subcommittees.--The board may create subcommittees of
2 the board members to carry out specific tasks or research.
3 Subcommittees are to be created on an ad hoc basis and are not
4 to replace or interfere with the efforts of the board.

5 (i) Meetings.--The board shall meet in accordance with the
6 following:

7 (1) Members shall meet no fewer than four times per
8 year, on a quarterly basis, except that the board shall meet
9 every month for the first six months after the establishment
10 of the board and, thereafter for the remainder of the first
11 year, the board shall meet on a quarterly basis.

12 (2) The agenda for each meeting and all meeting minutes
13 shall be posted to the department's publicly accessible
14 Internet website.

15 (3) Meetings must comply with the following:

16 (i) The act of February 14, 2008 (P.L.6, No.3),
17 known as the Right-to-Know Law.

18 (ii) 65 Pa.C.S. Ch. 7 (relating to open meetings).

19 Section 7. Compensation and reimbursement.

20 Board members shall not be entitled to compensation for their
21 services as board members. Board members shall be entitled to
22 reimbursement in accordance with Commonwealth guidelines for
23 reasonable travel, lodging and other necessary expenses incurred
24 in the performance of their duties as board members.

25 Section 8. Conflict of interest.

26 Board members shall recuse themselves from discussions and
27 actions if a conflict of interest may exist.

28 Section 9. Effective date.

29 This act shall take effect in 60 days.