
Subject: Client Access Criteria

Effective Date: October 1, 2010

Revised from: October 1, 2006

Policy: Inadequate client access is determined on a case-by-case basis. Inadequate client access will be a factor when considering whether to assess a civil money penalty against an authorized vendor in lieu of disqualification or when considering waiving specific vendor selection criteria.

Only the State Agency (SA) shall determine what constitutes inadequate client access. The Local Agency (LA) and the vendor have only an informational input role in the decision making when determining inadequate client access. Client convenience and preference are not legitimate issues for a vendor to raise when appealing a SA decision.

The Kansas WIC program will ensure that all WIC clients have adequate access to authorized vendors in order to purchase their WIC food items. By ensuring adequate access to authorized vendors, the WIC program assists clients in meeting their nutritional goals and needs.

The SA shall not authorize a new vendor that is expected to derive more than 50 percent of its annual food sales revenue from the WIC program, unless that vendor is necessary to ensure client access to program benefits.

For authorized vendors, prior to taking disqualification actions, the SA will complete a Inadequate Client Access Assessment. The SA completes this assessment for all administrative actions warranting program disqualification (for both SA and Mandatory Federal Sanctions). Conversely, this type of assessment is completed for denied authorizations, if an administrative review is requested by a vendor applicant.

Procedure:

1. Criteria – To be considered inadequate client access rather than “client inconvenience”, the SA must find that one of the following conditions is indicated:
 - a. Unreasonable distance
 - i. For rural counties, a significant number of clients (10 or more) would be required to travel an unreasonable distance to another authorized vendor. Unreasonable distance is defined as thirty (30) or more miles away (one-way driving distance) in a rural county.
 - ii. For urban counties, a significant number of clients (20 or more) would be required to travel an unreasonable distance to another authorized vendor. Unreasonable distance is defined as five (5) or more miles away (one-way driving distance) in an urban county.
 - b. A physical barrier or condition exists, which would make normal travel to an alternate vendor location impossible or dangerous. Examples of such barriers or conditions include:

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- i. an unbridged river,
- ii. an expressway,
- iii. an airport,
- iv. geographical terrain,
- v. operational railroad tracks or
- vi. actual neighborhood boundaries.

2. Evaluation

- a. The SA will complete an Inadequate Client Access Assessment as needed. The SA will obtain feedback from the LA on customer service and access issues identified in this policy.
- b. A completed Inadequate Client Access Assessment form must identify at a minimum one alternate authorized vendor located within the stated geographic radius (i.e. 30 miles or less for rural counties and 5 miles or less for urban counties). A more comprehensive listing of other authorized vendors may be included as an attachment.
- c. An inadequate client access determination will remain in effect for one year; or until the vendor is disqualified; terminated or the SA determines that inadequate client access no longer exists. The vendor shall receive written notice of the one year period begin and end dates. After the one year period has elapsed, the SA will evaluate the vendor's status and determine if another one year extension is warranted.