

# The Use and Impact of Federal Waivers During the COVID-19 Pandemic: Summary Findings From Surveys of Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) State and Local Agencies (Summary)

## Background

Under the Families First Coronavirus Response Act of 2020 (FFCRA, P.L. 116-127), the U.S. Department of Agriculture's (USDA) Food and Nutrition Service (FNS) had the authority to grant certain programmatic waivers to State agencies that administer the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC). FNS issued waivers to provide flexibilities to requirements that could not be met as a result of the Coronavirus Disease 2019 (COVID-19) pandemic (the "pandemic") and support continued access to WIC services. By the time FFCRA waiver authority ended on September 30, 2021, FNS had approved 16 types of WIC waivers and 831 individual waiver requests across the 89 WIC State agencies.

The FFCRA also stipulated reporting requirements for the waivers. Within 12 months of receiving a waiver, State agencies were required to summarize their use of each implemented waiver and describe whether the waiver helped improve services for WIC participants. Local agencies had similar reporting requirements only for physical presence waiver.

This report summarizes details on the use and impact of the following waivers: **physical presence**, **remote benefit issuance**, **food package substitution**, **administrative flexibilities** (medical documentation, separation of duties, local agency monitoring, and extended certification period), and **food delivery flexibilities** (vendor compliance investigations, vendor minimum stocking requirements, vendor preauthorization visits, vendor routine monitoring [temporary/annual and onsite], 2 month benefit issuance, 4 month benefit issuance, and vendor agreement). Transactions without presence of cashier waiver are not included because no State agency used it to operationalize online ordering and transactions.

## Methods

FNS developed State and local agency surveys to capture the information needed to fulfill the FFCRA waiver reporting requirements. The surveys were fielded in March and April 2021 to all 89 WIC State agencies and a census of WIC local agencies. Findings reflect the use of the waivers at the time of data collection.

## Key Findings

- For the majority of waivers, WIC State and local agency respondents indicated the waiver was either extremely or very important for ensuring participants received quality WIC services and WIC foods during the COVID-19 pandemic, particularly by promoting social distancing and keeping participants and staff safe.
- WIC State and local agencies reported that most of the waivers were at least slightly challenging to use, and the most commonly reported challenges were related to communication in a remote environment.
- During the COVID-19 pandemic, WIC State agencies most frequently used physical presence (88 State agencies), remote benefit issuance (81 State agencies), and food package substitution (58 State agencies) waivers.
- WIC State and local agencies supported the continued use of several waivers after the COVID-19 pandemic, such as physical presence, remote benefit issuance, food package substitution, and vendor routine monitoring.

The State agency survey gathered information about the use and impact of the 16 WIC waivers issued by FNS under the FFCRA. All 89 State agencies completed the survey. The local agency survey gathered information on the use and impact of the physical presence waiver. Almost all local agencies across the 89 State agencies (1,833 of 1,891; 96.9 percent) completed the survey.

## Findings

**Physical presence, remote benefit issuance, and food package substitution waivers were the most commonly issued and used waivers (see Table 1).** The physical presence waiver, remote benefit issuance waiver, and the food package substitution waiver were used by 88 percent, 81 percent, and 58 percent of State agencies, respectively.

**For 11 out of 15 waivers, more than three quarters of State agencies that used those waivers indicated the waiver was extremely or very important for ensuring participants received quality WIC services during the pandemic (see Table 1).** Most or all State agencies reported the waivers kept WIC participants and staff safe by promoting social distancing. Additionally, nearly all local agencies (98.0 percent) reported the physical presence waiver was extremely or very important to ensure quality services during the pandemic.

**For 10 out of 15 waivers, more than half of State agencies reported the waivers were at least slightly challenging to use (see Table 1).** For 13 out of 15 waivers, the most commonly reported challenges related to communication; 70.6 percent of local agencies reported that getting in touch with WIC participants remotely was a challenge. However, for the extended certification periods and local agency monitoring waivers, State agencies most commonly reported technical challenges (e.g., Management Information System (MIS) capacity, remote monitoring).

**In response to the pandemic, almost all (98.6 percent) local agencies offered remote certification appointments to WIC participants; compared to only 11.9 percent before the pandemic.** Remote appointments were typically conducted via phone. Many local agencies noted the physical presence waiver helped ensure participants' safety during the pandemic. Respondents noted that the waiver made WIC more convenient by alleviating several barriers, such as transportation, childcare, and challenges for working parents. State and local agencies strongly advocated for the continued use of remote services in WIC and the loosening of the physical presence requirement.

**During the pandemic, the percentages of local agencies using remote methods to conduct nutrition education and breastfeeding counseling increased from 84.4 percent to 96.8 percent and from 86.0 percent to 94.6 percent, respectively.** The use of nearly all types of remote methods increased, with the use of video calls showing the largest relative increase.

**Among State agencies using the remote benefit issuance waiver, 80.2 percent mailed new food instruments to WIC participants and 71.6 percent allowed participants to pick up their newly issued food instruments outside the WIC**

**clinic.** Almost all of the State agencies with the more prevalent "online" magnetic stripe card EBT systems (92.1 percent) loaded benefits remotely for existing participants with an EBT card, whereas the majority of State agencies with "offline" chipped card EBT systems (71.4 percent) loaded benefits onto EBT cards at the clinic while participants waited inside or outside. Some State agencies suggested that maintaining remote benefit issuance long term could address transportation or scheduling barriers.

**Food package substitution waivers for cow's milk and whole wheat/whole grain bread were the most frequently used (46 and 34 State agencies, respectively).** State agencies reported the food package substitution waivers improved access to food (94.8 percent) and improved the shopping experience for WIC participants (86.2 percent). State agencies also reported the waivers decreased participant concerns about feeding themselves and their families (82.8 percent). Some State agencies noted they would like to maintain some of the substitutions allowed by the waivers, such as package size flexibilities for bread and eggs and fat content flexibilities for cow's milk.

**Most of the State agencies that were issued administrative flexibilities waivers reported the waivers enabled quality services and oversight during the pandemic.** Nearly all State agencies (98.0 percent) using the local agency monitoring waiver reported that it allowed them to continue conducting quality oversight. Over three quarters of State agencies using the extended certification periods and separation of duties waivers reported those waivers allowed them to serve more WIC participants in less time or with fewer staff.

**The vendor preauthorization visits waiver was the most commonly used food delivery flexibilities waiver (23 State agencies).** State agencies recommended the continued use of remote vendor monitoring. State agencies indicated the use of virtual tools could enable WIC staff to maintain high-quality monitoring and oversight of WIC vendors, save WIC staff travel time and resources, and streamline the preauthorization process. However, as one State agency described, the success of virtual tools could depend on the access and comfort level of WIC and vendor staff.

**State and local agencies supported the continued use of the physical presence, remote benefit issuance, food package substitution, and vendor routine monitoring waivers after the pandemic. State and local agencies suggested the continued use of waivers could remove scheduling and transportation barriers to WIC participation and enable WIC staff to maintain quality services through efficiency.**

**Table 1: Families First Coronavirus Response Act (FFCRA) Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Waivers During the COVID-19 Pandemic, as of February 28, 2021**

Waiver Type <sup>a</sup>	Number of State Agencies Issued Waiver	Number of State Agencies Reported Using Waiver	Very or Extremely Important to Maintaining Quality WIC Services (% of State Agencies)	At Least Slightly Challenging to Use (% of State Agencies)
Physical Presence	89	88	98.8	75.0
Remote Benefit Issuance	87	81	93.9	61.7
Food Package Substitution <sup>b</sup>	67	58	88.0	77.5
Medical Documentation	45	42	85.8	69.1
Separation of Duties	60	50	76.0	42.0
Local Agency Monitoring	53	49	75.5	87.7
Extended Certification Period	38	21	76.2	66.7
4 Month Benefit Issuance	7	6	83.4	66.6
2 Month Benefit Issuance	10	7	85.7	28.5
Vendor Agreement	3	3	66.7	100.0
Vendor Compliance Investigations	27	19	21.0	31.8
Vendor Minimum Stocking Requirement	26	14	78.6	42.9
Vendor Preauthorization Visits	31	23	91.3	73.9
Vendor Routine Monitoring (Onsite)	32	13	61.6	76.9
Vendor Routine Monitoring (Temporary or Annual) <sup>c</sup>	23	12	33.4	41.7

<sup>a</sup> As of March 2021, no State agency had used transactions without presence of cashier waiver to operationalize online ordering or transactions of WIC foods.

<sup>b</sup> State agencies that received several Food Package Substitution waivers are only counted once.

<sup>c</sup> State agencies that received both the temporary and annual waivers are only counted once.

**For More Information:**

Wroblewska, K., Steigelman, C., & Hansen, D. (2023). The Use and Impact of Federal Waivers During the COVID-19 Pandemic: Summary Findings From Surveys of Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) State and Local Agencies. Prepared by Insight Policy Research, Inc. Contract No. GS-10F-0136X/12319821F0011. Alexandria, VA: U.S. Department of Agriculture, Food and Nutrition Service, Office of Policy Support, Project Officers: Alex Bush and Hunjin Lee. Available online at: [www.fns.usda.gov/research-and-analysis](http://www.fns.usda.gov/research-and-analysis).