

Dispute Resolution and Appeal Policy

Discussion Leader: Cindy Spinks

Overview:

Smart WIC EBT Authorities are considering standardizing their appeal policies and processes. Discussion will include an overview of Texas' proposed policy changes, attendee input on the current policies and interest in standardizing the appeal policies and procedures across the Smart WIC EBT Authorities.

Notes:

1. Discussed Texas' revised Appeal Policy.
 - a. Currently at USDA for approval.
 - b. Revised to reflect completion of the statewide EBT rollout.
 - c. Includes three (3) types of appeals.
 - i. Late.
 - ii. Malformed.
 - iii. Special Appeals and Electronic Signatures.
 - d. Opens up the one (1) per year appeal in certain circumstances.
 - i. Additional appeals in certain circumstances may be granted for transactions occurring within 45 days of a store's implementation of a new or modified system.
 - ii. Texas Retailers Association representative expressed concern with the 45 days.
 - e. Electronic signature appeals will require a \$500 minimum.
 - i. Can be aggregated up to a 12 month period.
 - ii. Texas Retailers Association representative expressed concern regarding the \$500 minimum.
2. Acknowledge and discussed the distinction between online and smart WIC appeal policies and terminology.
 - a. Texas does not distinguish between a dispute and an appeal. Treats them the same and refers to them as appeals.

- b. The Business Operating Rules will attempt to streamline online and smart WIC processes and terminology. Will focus on the following:
 - i. Dispute timelines.
 - 1. Submitted.
 - 2. Resolved.
 - ii. Dispute documentation.
 - iii. Types of disputes.
 - 1. Card holder.
 - 2. Vendor.
 - 3. Escalated to USDA.
- 3. Discussed the WIC appeal policy being in the WIC regulations.
 - a. Don't know if the language in the draft Business Operating Rules is in conflict with the regulation language.
 - b. We are not in the banking industry and should not have to conform to banking industry standards.
 - c. USDA recommended that we look at the SNAP dispute resolution process and match up WIC process if possible.
- 4. A store expressed their desire for us to proceed with the revised policy that would include invalid signatures and make any needed modifications resulting from the Business Operating Rules at a later date.

Summary:

- 1. Upon approval by USDA, Texas will share their revised version of the appeals policy.
- 2. Texas will proceed with the revised version of the appeals policy, upon approval of USDA, and make any modifications related to the operating rules at a later date.