



Memorandum

#13-021

TO: WIC Regional Directors
WIC Local Agency Directors

FROM: Linda Brumble, Unit Manager
Nutrition Education/Clinic Services Unit
Nutrition Services Section

DATE: February 28, 2013

SUBJECT: Revision of *Texas WIC Policy FD:16.0 Approval of Formulas and Nutritional Products Requiring Medical Documentation* and addition of *Texas WIC Policy FD:16.1 Issuance of Formulas and Nutritional Products Requiring Medical Documentation*

Texas WIC Policy FD 16.0, previously called “*Issuance of Formulas and Nutritional Products Requiring Medical Documentation*,” will be divided into two separate policies. *Texas WIC Policy FD:16.0*, entitled “*Approval of Formulas and Nutritional Products Requiring Medical Documentation*,” covers the formula approval process in detail. A new policy, *Texas WIC Policy FD 16.1*, entitled “*Issuance of Formulas and Nutritional Products Requiring Medical Documentation*,” covers the formula issuance process and other related issues after the formula has been approved. It is hoped that by dividing the policies between approval and issuance it will be easier for staff to locate the information needed for the formula approval process. Both policies are effective March 1, 2013. At that time they will be posted and you may update your *Policy and Procedures Manual* by accessing them on the *WIC Website* at:

http://www.dshs.state.tx.us/wichd/policy/table_of_contents.shtm

Summary of Revisions

Texas WIC Policy FD:16.0 Approval of Formulas and Nutritional Products Requiring Medical Documentation

- Redefines medical foods
- Expands prescriptive authority specialties to all that are legally authorized to prescribe in Texas
- Minor reorganization of the order of topics
- Provides guidance concerning the acceptance and documentation of verbal prescriptions
- Provides guidance for documenting changes to a script after discussion with the HCP
- Describes a method to extend an existing written medical request so as not to create a barrier to service

Revision of *Texas WIC Policy FD:16.0 Approval of Formulas and Nutritional Products Requiring Medical Documentation* and addition of *Texas WIC Policy FD:16.1 Issuance of Formulas and Nutritional Products Requiring Medical Documentation*
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- Clarification concerning the acceptance of signature stamps
- Clarification regarding how long a prescription may be approved when it crosses the certification expiration date
- Expands local RD authorization to approve non-contract formula for medical reasons not exactly matching guidance provided in the Texas WIC Formulary and Medical Reasons for Issuance document
- Clarification provided to guide staff in determining who may contact healthcare providers for more information about a medical request for formula

Texas WIC Policy FD:16.1 Issuance of Formulas and Nutritional Products Requiring Medical Documentation

- Redefines medical foods
- Expands prescriptive authority specialties to all that are legally authorized to prescribe in Texas
- Clarifies that mixing instructions from the HCP should be checked with the parent and kept in the chart
- After approval has been completed, this policy covers the issuance of food packages with formula
- Provides additional guidance concerning the issuance of formula and food packages for children and women
- Expands guidance for accepting prescriptions from out-of-state

If you have questions, please contact Sandra Brown, Food Formula Specialist at (512) 341-4576 or at sandra.brown@dshs.state.tx.us.

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Approval of Formulas and Nutritional Products Requiring Medical Documentation

Purpose

To ensure that formulas and nutritional products requiring medical documentation are approved for appropriate medical reasons in compliance with WIC regulations

Authority

7 CFR Part 246.10; State Policy

Policy

Non-contract formula may be approved for valid medical conditions when the use of WIC contract formula is contraindicated.

Definitions

Formula(s) - The term "formula(s)" used throughout this policy refers to all contract and non-contract formulas, including standard milk-based, soy-based and lactose-free formulas, nutritional beverages, additives such as human milk fortifiers and modular products, nutritional supplements and medical nutritional product(s).

Health Care Provider (HCP) - Also referred to as "prescriptive authority"; a medical professional who may legally diagnose medical conditions and write prescriptions. In Texas, prescriptive authorities include but are not limited to: medical doctors (M.D.), doctors of osteopathy (D.O.), physician's assistants (P.A.), and nurse practitioners (N.P.).

Approval Authority - Designated agency staff who are authorized by criteria outlined in this policy to approve formula; e.g., L.V.N., R.N., L.D., R.D., Nutritionist, and other Certifying Authorities (C.A.) as specified in policy *CS: 15.0 Certifying Authority*. Certified WIC Certification Specialists (WCS's) are authorized to approve formula after successful completion of the state WCS formula approval training and with local agency (LA) WIC director and

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preceptor approval. The Certified WCS must be designated “formula certified” to approve Level 1 formulas.

Exempt Formula - Therapeutic formula intended and labeled for use by individuals with specific medical and/or dietary conditions.

Non-Exempt Formula - A routine formula labeled for use by full term, generally healthy infants or toddlers. Such formulas include milk-based, soy-based, lactose-free, added rice starch, and/or toddler follow-up varieties.

Medical Foods – A food which is formulated to be consumed or administered enterally under the supervision of a physician and which is intended for the specific dietary management of a disease or condition for which distinctive nutritional requirements based on recognized scientific principles are established by medical evaluation. These products are formulated to provide nutritional support due to a qualifying condition, or when the use of conventional foods is precluded, restricted, or inadequate (e.g., Pediasure).

Prescription(s) - Medical documentation required to approve formula.

Procedures

I. Formula approval requirements

A. Prescription

1. Prescription documentation - *The Texas WIC Medical Request for Formula/Food F13-06-13152* (hereafter referred to as Medical Request form), and the *Texas WIC Medical Request for Metabolic Formula/Food* both located at www.dshs.state.tx.us/wichd/nut/foods-nut.shtm are required to provide medical documentation for formula and/or soy foods. LA developed forms are not permitted.
 - a. Incomplete written prescriptions shall be followed up with a phone call to the HCP to obtain any missing information provided the prescription has the signature/ stamp of the prescriptive authority. Missing information shall be documented. The “For WIC use only” section of the Medical Request form may be used to document additional information. The original prescription information shall not be altered.

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- b. Verbal prescriptions may be accepted but will be valid for no longer than one month. The verbal information provided shall be recorded on a Medical Request form and faxed to the HCP for their signature. After the verbal prescription is signed by the HCP and received it shall be filed in the participant's chart prior to a second issuance.
- c. Changes (such as a different formula or a new diagnosis), obtained after discussion with the HCP may be documented in the "for WIC use only" section of the Medical Request form.
- d. Extending an existing written medical request – A recently expired medical request may be extended by contacting the HCP for verbal approval. This extension may occur once and for up to 6 months under the following select circumstances:
 - i. The previous medical request is no more than 30 days past the expiration date.
 - ii. The diagnosis and formula requested have not changed.
 - iii. Documentation in the WIC use only section of the medical request form includes:
 - 1) New length of issuance
 - 2) Name of HCP providing verbal authorization
 - 3) Date of phone conversation
 - 4) Signature of CA
- e. Faxed/electronic prescriptions are acceptable.
- f. Requests for formula received on non-WIC forms. Examples include but are not limited to: hospital prescriptions, HCP prescription pad, discharge papers or summaries. These may be accepted if:
 - i. The documents contain all prescription requirements listed in section I.A.2. of this policy or;
 - ii. The participant is an infant less than 6 months of age and supplemental foods are not an option during the issuance time frame and all other needed information is available or:

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- iii. One of the above documents is presented and the HCP cannot be contacted, the formula may be approved for one month if the document contains at least the following information:
 - 1) date
 - 2) hospital name or other identifying information
 - 3) name of formula
 - 4) patient or guardian name
 - 5) reason for issuance that can be clearly inferred (e.g., ≤ 37 weeks gestation or birth weight less than or equal to 5lbs. 8oz.)
- g. If a prescription is received that requires additional information, clarification, discussion etc. and the HCP cannot be reached, call the State Agency (SA) formula pager at (512) 499-6814 for assistance, if needed.
- 2. Prescription requirements - Completed written prescriptions consist of the following information:
 - a. name of participant
 - b. name of formula
 - c. amount needed per day and/or;
 - d. authorized prescribed amount and/or supplemental foods and their amounts (see Policy *FD: 12.0* for maximum amounts)
 - e. requested length of issuance
 - f. medical diagnosis or reason(s) for which formula or food is prescribed
 - g. contact information of the prescriptive authority
 - h. signature of the prescriptive authority (signature and/or medical office stamps are acceptable)
 - i. date prescription was written
- B. Nutrition assessment – The following information shall be included in an assessment and considered for formula approval:
 - 1. Anthropometric measurements – weight and length/height shall be plotted on the growth chart. Measurements can be obtained from the HCP. Use the date the measurements were taken to plot on the growth chart.

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- a. Measurements obtained from the HCP shall not be older than 30 days for infants, children, and women. It is best practice to use measurements that were taken within 7 days. Current weight and height may be critical to the care of medically fragile infants or children diagnosed with failure-to-thrive. Use professional judgment when deciding whether to use measurements provided that are older than 7 days. Contact the formula pager at (512) 499-6814 if measurements are beyond the 30 day timeframe.
 - b. For preterm infants, corrected weight and length for age shall be plotted up until the infant/child is 2 years chronological age.
 - c. If a growth problem is identified during an assessment, the participant's HCP shall be notified (by phone, fax, or letter) if the HCP has not assessed the participant since the formula was last prescribed. A growth problem is defined as weight loss or inadequate or no weight gain or excessive weight gain.
2. Dietary intake/dietary history
 3. Formula history
 4. Pertinent medical history
- C. Length of approval
1. The approval authority shall determine how long a formula shall be issued based on length of time a formula is requested and nutritional assessment. A prescription may be approved for the full length of time requested. It may also be approved for a shorter length of time than requested. The original prescription is still valid if approved for a shorter length of time. Prescriptions that cross certification expiration dates may be extended for the remaining length of the request at the time of certification.
Example: Neocate Jr. is approved January 2nd for 6 months. The approval time period is January through June. The certification expires at the end of February. Initial issuance is for 2 months (January – February). Four additional months may be issued after the certification is

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- entered in February. No further formula approval is needed at that time.
2. Specific details on length of issuance can be found in the *Texas WIC Formulary and Medical Reasons for Issuance* (hereafter referred to as the *Texas WIC Formulary*) www.dshs.state.tx.us/wichd/nut/formula-nut.shtm. Additional requirements may apply to specific formulas.
- II. Documentation for formula approval – The *Formula Approval Form* located at: <http://www.dshs.state.tx.us/wichd/nut/foods-nut.shtm> (or locally developed form) shall be used for formula approval documentation.
- A. Texas WIC information network (TWIN) documentation – the following fields shall be entered into TWIN:
 1. Food package code
 2. Formula code
 3. Prescription expiration date (the last day of the month for which the formula is approved)
 4. Restricted supplemental foods shall be refused if appropriate
 - B. Participant record documentation
 1. name of the appropriate LA or SA staff approval person
 2. date the formula is approved
 3. reason(s) for denial, if appropriate
 4. notification of denial, if applicable
 5. any additional useful information to support approval or denial of formula
 - C. Notifying HCP – Staff shall notify the HCP if the requested formula cannot be issued or is not approved by WIC. This notification may be by phone, fax or email.
 - D. Other formula approval considerations
 1. When a formula has been prescribed for a valid medical condition, do not challenge with or issue a different formula without first obtaining approval from the prescriptive authority.
Example: Neocate DHA/ARA was prescribed for severe cow's milk allergy. Do not issue a protein hydrolysate (e.g., Nutramigen LGG) without HCP approval.

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2. A participant does not need to be challenged on contract formula prior to issuing an exempt formula/medical food.
Example: Nutramigen LGG was prescribed for cow milk allergy. A contract soy formula does not need to be trialed first.
3. Requests for standard milk or soy-based non-contract formula shall follow the challenge guidelines indicated in the *Texas WIC Formulary*. If a comparable contract formula has not been trialed since the last approval and no medical contraindication was provided on the *Texas WIC Medical Request for Formula/Food*, a comparable contract formula may be provided.
4. When approved, participants shall receive both the requested formula and categorically appropriate supplemental foods. The HCP must specify if or which supplemental foods are to be omitted due to the medical condition. If the prescription provided is on a non-WIC form and supplemental foods are not addressed, contact the HCP for this information or issue the "formula only" food package (for infant packages, refer to WIC Policy *FD.16.1.*)
5. When a participant requests to change from a non-contract formula to a contract formula and has a current valid prescription:
 - a. Verify the change with the HCP that wrote the original prescription. This may be accepted verbally.
 - b. If the HCP cannot be reached, inform the HCP of the formula change via fax. The faxed form used to inform the HCP must include:
 - i. name of participant and date of birth
 - ii. clinic name and contact information
 - iii. the names of the current formula and the new formula requested
 - iv. a signed statement from the participant indicating acknowledgement of the requested formula change
 - c. One final month of the original formula may be provided pending any possible medical objections from the HCP

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6. Prematurity classification – If the HCP does not write “prematurity or low birth weight” as the diagnosis for a formula typically requested for an infant less than or equal to 37 weeks gestation assume that prematurity is the diagnosis.
 7. Special accommodations for an assessment shall be offered to families with special health care needs (refer to Policy *CR: 07.0*). If a physical presence waiver is in place, use the most recent measurements when available.
- III. WIC staff formula approval authority information
- A. Reference materials can be found at <http://www.dshs.state.tx.us/wichd/nut/foods-nut.shtm>. The following documents shall be referred to when approving formula:
 1. *Texas WIC Formulary* – The formulary includes:
 - a. Reasons for issuance
 - b. Packaging
 - c. Maximum length of issuance
 2. *Formula Maximum Quantity Table* – For maximum quantities of formula by age and feeding option
 3. *Formula Code List* – For formula codes and other information regarding packaging and ordering formula
 4. *Quick Reference for Formula Approval* – Categorizes formula by level.
 - B. LA Approvals (Levels 1 – 3)
 1. Approval authorities shall approve any formula listed in the *Texas WIC Formulary* (with the exceptions listed in Section III.C.) under the following conditions:
 - a. Prescription is complete, signed and does not require any clarification by the HCP.
 - b. Qualifying condition or medical reason is the same as that listed in the *Texas WIC Formulary*.
 2. If the formula is requested for a reason not found in the Texas WIC formulary, consult with a LA RD or SA.
 3. The LA RD, using professional judgment, may approve a Level 1-3 formula (with the exception of metabolic formulas) for valid medical reasons **not** listed in the *Texas WIC Formulary*. Documentation of the reason for approval is required.

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Example: The following situation would be outside the guidelines for this formula as described in the Texas WIC Formulary - EnfaCare request for a 10 month old infant, born at 34 weeks gestation who was 4 lbs. at birth, developmentally delayed and not eating baby food. The LA RD could make a determination and decision without contacting the SA for approval. A brief description of the reason for the decision is to be included in the formula approval documentation.

4. Formulary approval exceptions by LA RD's may not conflict with other policy restrictions.

Example: Similac for Spit-Up RTU due to intolerance symptoms on powder is in conflict with *FD: 15.0 Issuance of Ready-to-Use Formula*. Such medical exceptions are to be referred to SA formula approval staff.

5. If information is missing on the Medical Request form, appropriate LA staff shall contact the HCP to obtain the information.
 6. If the missing information is limited to length of issuance, date, or signature, any staff member may call the HCP or fax back the request to be signed.
 7. If any other aspect of the request requires discussion with the HCP, refer to the LA nutritionist, RD or SA for guidance before calling the HCP.
 8. WCS may not contact the HCP to discuss or clarify requests unless so directed by the approval authority.
- C. SA Approval (Level 4) – For Level 4 requests, contact the SA before contacting the HCP.
1. Formulas that require state office approval are indicated in the *Texas WIC Formulary* as Level 4. These include but are not limited to:
 - a. First time metabolic requests
 - b. Human milk fortifiers (HMF)
 - c. 24 calorie ready-to-use (RTU) formulas for premature infants
 2. The SA shall also be contacted:

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- a. When a LA RD is not available
- b. When prescribed formula is:
 - i. prescribed for reasons other than those listed in the *Texas WIC Formulary* and the LA RD needs assistance;
 - ii. not listed in the *Texas WIC Formulary* and/or;
 - iii. not described in any guidelines or memos issued by the SA
- c. For consultation or technical assistance any time.

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Issuance of Formulas and Nutritional Products Requiring Medical Documentation

Purpose

To ensure that Texas WIC participants receive the formulas, medical nutritional products, and supplemental foods that meet their nutritional needs.

Authority

7 CFR Part 246.10; State Policy

Policy

WIC participants may be issued non-contract formula for valid medical conditions when the use of WIC contract formula is contraindicated.

Definitions

Formula(s) - The term "formula(s)" used throughout this policy refers to all contract and non-contract formulas, including standard milk-based, soy-based and lactose-free formulas, nutritional beverages, additives such as human milk fortifiers and modular products, nutritional supplements and medical nutritional product(s).

Health Care Provider (HCP) - Also referred to as "prescriptive authority"; a medical professional who may legally diagnose medical conditions and write prescriptions. In Texas, prescriptive authorities include but are not limited to: medical doctors (M.D.), doctors of osteopathy (D.O.), physician's assistants (P.A.), and nurse practitioners (N.P.).

Medical Home - A healthcare professional or healthcare clinic that provides comprehensive medical care. Comprehensive care includes care of patients with illnesses and injuries, well-child exams, immunizations, and referrals for specialty care.

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Approval Authority - Designated agency staff who are authorized to approve formula; e.g., L.V.N., R.N., L.D., R.D., Nutritionist, and other Certifying Authorities (C.A.) as specified in policy *CS: 15.0 Certifying Authority*. Certified WIC Certification Specialists (WCS's) are authorized to approve formula after successful completion of the state WCS formula approval training and with local agency (LA) WIC director and preceptor approval. The Certified WCS must be designated "formula certified" to approve Level 1 formulas.

Exempt Formula - Therapeutic formula intended and labeled for use by individuals with specific medical and/or dietary conditions.

Non-Exempt Formula - A routine formula labeled for use by full term, generally healthy infants or toddlers. Such formulas include milk-based, soy-based, lactose-free, added rice starch, and/or toddler follow-up varieties.

Medical Foods – A food which is formulated to be consumed or administered enterally under the supervision of a physician and which is intended for the specific dietary management of a disease or condition for which distinctive nutritional requirements based on recognized scientific principles are established by medical evaluation. These products are formulated to provide nutritional support due to a qualifying condition, or when the use of conventional foods is precluded, restricted, or inadequate (e.g., Pediasure).

Prescription(s) - Medical documentation required to approve formula.

Procedures

- I. General requirements for the issuance of non-contract formula
 - A. Valid prescription approved by appropriate prescriptive authority
 - B. Food package, formula code, formula quantity, foods to omit and the formula expiration date determined by the appropriate prescriptive authority
 - C. Appropriate documentation provided in TWIN and participant chart for the non-contract issuance
 - D. Reference materials can be found at <http://www.dshs.state.tx.us/wichd/nut/foods-nut.shtm>. The following documents shall be referred to when issuing formula:
 1. *Texas WIC Food Package Guide*

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2. *Formula Code List*
 3. *Texas WIC Formula Maximum Quantity Table*
- II. Formula and Food Package Issuance Information
- A. 6-11 Months *Exempt Formula Only* Package –
1. Infants six months of age or older, whose medical condition prevents them from consuming supplemental infant foods, are eligible to receive exempt infant formula at the same monthly allowance as provided to infants ages 4 through 5 months. The CA shall refer to the *Formula Maximum Quantity Table* at: www.dshs.state.tx.us/wichd/nut/foods-nut.shtm, to determine which formulas qualify for this increased quantity.
 2. The *exempt formula only* food package shall be prescribed to those participants for whom the HCP has not indicated “formula only”, or has marked to omit both infant cereal and infant fruits/vegetables on the Medical Request form.
 - a. Developmentally delayed, premature and/or tube fed infants for whom the HCP has not indicated “formula only”, shall be scheduled to return to the clinic no earlier than 3 months of age, but before 6 months of age to determine the appropriate food package to issue after they turn 6 months of age. The *exempt formula only* food package may be issued once staff receives this information from the HCP. This food package may be issued prior to 6 months of age.
 - b. If supplemental food authorization cannot be obtained from the HCP, do not issue supplemental food or the *exempt formula only* food package; instead issue the *formula only* food package for *non-exempt or exempt formula*. Contact the SA if there are questions.
- B. 6-11 Months Formula Only (Non-exempt or Exempt)
1. This package is designed for infants 6 months of age or older whose medical condition prevents them from consuming supplemental foods.
 2. Choose this package when:
 - a. The formula is standard (non-exempt). No additional formula may be provided in lieu of supplemental food.

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- b. Exempt formula is requested but the HCP has not provided supplemental food information or cannot be reached.
- C. Formula Food Packages for Children and Women
 1. Formula Only Food Package – Choose this package if all foods are to be omitted due to the child’s medical condition. No additional formula is provided in the absence of supplemental food.
 2. Formula with Infant Cereal – Choose this package when formula and infant cereal are desired. In addition, juice and the fruit/vegetable cash value are available.
 3. Baby food fruits and vegetables are not authorized for children even when requested by the HCP due to a medical condition.
 4. Not all combinations of formula and food options are available. Choose the food package option that is closest to meeting the medical needs of the child or woman.
- D. Metabolic Formula Approval and Issuance
 1. Products prescribed for inborn-errors of metabolism (e.g., PKU) require a completed *Texas WIC Medical Request for Metabolic Formula/Food* from a DSHS approved metabolic center. This form is available on the web at:
www.dshs.state.tx.us/wichd/nut/pdf/metarx.pdf.
 2. WIC staff are not to issue metabolic products to a participant until their diagnosis has been confirmed by a metabolic geneticist (either in person or by consultation). A list of recognized metabolic centers can be found at:
www.dshs.state.tx.us/newborn/metacons.shtml. A list of metabolic dietitians is available at:
www.dshs.state.tx.us/wichd/nut/pdf/MCDietitians.pdf.
 3. Initial (first time) requests for metabolic products require state agency (SA) approval. Subsequent requests may be approved by a CA provided that the Metabolic Request form is completely filled out as described in II.D. 1 - 2 above.
 4. Families with members who have metabolic disorders shall be given the option to participate in nutrition education, but are not required to do so. WIC staff shall not provide any individual

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- counseling regarding appropriate metabolic diets for participants with metabolic disorders. Refer to WIC Policy *CR: 07.0*.
- E. Concentrated Non-Contract Formulas
 1. Federal regulations set a maximum formula allowance that cannot be exceeded regardless of the prescribed concentration rate.
 2. Refer to a LA RD or call the SA for technical assistance related to concentrating non-contract formulas. The parent/guardian should be informed that the amount of formula provided by WIC may not be enough to last the entire month.
 3. When instructions for altering the dilution of formula are provided by the HCP, WIC staff are not required to do any additional approval or assessment. Keep a copy of the mixing instructions provided by the HCP. Determine if the parent is mixing correctly according to the instructions.
 4. When instructions for altering the dilution of formula are provided by WIC staff, a prescription, assessment, and documentation are required.
 - F. Requests for Goat's Milk and Rice Milk - Goat's milk and rice milk are not authorized or provided by Texas WIC.
 - G. Non-contract non-exempt (standard) formula for religious purposes
 1. Medical documentation and assessment is not needed when non-contract non-exempt formula is requested due to religious eating patterns.
 2. LA staff shall document the issuance in the participant's chart. Since all non-contract formula requires the entry of an expiration date in the TWIN system, the expiration date entered shall be the end of the certification period in these situations.
 - H. Supplemental Food Issuance With or Without Formula
 1. Food without formula – If a participant is receiving formula from another assistance program (such as Medicaid, Newborn Screening, CHIP, etc.) and not WIC, the HCP shall be consulted to determine the appropriate supplemental foods to issue for the medical condition. This may be obtained verbally and documented on the Medical Request form.

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2. Interpretation of formula quantity when an exact amount is specified – When a HCP requests a specific number of containers of formula per month or ounces per day;
 - a. Infants – Issue maximum amount allowed or contact the SA for assistance if significantly less than maximum is requested.
 - b. Children – Provide the number of containers requested per day. You may round up to the nearest full packaging unit as long as this is less than the maximum amount allowed per month (e.g., round up to the nearest 6 pack).
3. Other situations – The approval authority may use professional judgment to adjust the food package when the diagnosis and supplemental food choices are inconsistent and the HCP cannot be reached for clarification.

Example (Formula and Food): Nutramigen LGG or Alimentum are requested for cow's milk allergy in a child but cheese is not omitted. If the CA is unable to reach the HCP for clarification, s/he may omit cheese. The HCP should be informed via fax or phone message.

III. Transfers and Prescriptions from Other States and Foreign Countries

A. Out-of-State Transfers

1. When an out-of-state transfer has been receiving a non-contract formula because it is another state's contract formula, issue the closest appropriate comparable Texas contract formula.
2. When an out-of-state transfer has been receiving a non-contract formula for medical reasons and does not have a prescription, issue the formula and food previously provided by the other state for one month and refer them to a Texas HCP for a new prescription. Contact the state office if there are questions about the appropriate food package. Document formula and reason needed. Ensure the reason is comparable to the Texas WIC Formulary.
3. If a participant's medical home is located in another state, prescriptions may be accepted from that location provided that they contain all required information.

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4. When an out-of-state transfer has been receiving a non-contract formula for medical reasons and presents a valid prescription from that state, accept it and complete the formula approval process. If approved, issue for the time period requested up to 3 months. Thereafter, a new prescription from a Texas HCP shall be required.
 - B. In-State Transfers
 1. When an in-state transfer has been receiving a non-contract formula for a medical reason at another Texas WIC clinic and prescription or expiration date is available, issue 1-3 months of the formula, as appropriate. A new prescription will be needed at the next issuance time period.
 2. When a transferring participant has been receiving a non-contract formula for a medical reason and does not have a current prescription, contact the SA.
 - C. Prescriptions from Other States –
 1. Prescriptions from other States may be accepted for up to 3 months to allow the participant time to obtain a new medical provider.
 2. If allowed food information is not available, staff may contact the out-of-state medical provider to obtain it.
 3. If staff cannot obtain this information, formula only may be provided.
 - D. Foreign Prescriptions - Prescriptions from foreign countries, including Mexico, may be approved by the SA once and for 1 month only. Thereafter, a current prescription from a local U.S. HCP shall be required.
- IV. Coordination with Medicaid – WIC staff shall refer participants to Medicaid in the following situations:
- A. When additional formula is needed beyond what WIC can supply
 - B. If the needed formula is not on the Texas WIC Formulary and cannot be supplied by WIC
 - C. If the participant is no longer categorically eligible
 - D. Contact the formula pager for Medicaid referral assistance
- V. Maximum Quantities of Formula and Food

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- A. Do not exceed maximum issuance of formula. Formula issuance includes issuance, formula exchange, and any other transaction involving formula.
 - B. Refer to Policy *FD: 12.0 Food Packages* for maximum monthly allowances of formula and supplemental foods.
 - C. Medical documentation is needed for all non-contract formula and supplemental foods that are issued with formula for infants.
 - D. Medical documentation is needed for all formula and supplemental foods that are issued with formula for women and children one year of age and older.
- VI. Non-Compliant Issuance of Non-Contract Formulas
- A. LAs shall be required to reimburse the SA for non-compliant issuance of non-contract formula in accordance with this policy. The amount of reimbursement shall be equal to the dollar amount that was paid to the vendor.
 - B. Non-compliant issuance of non-contract formula includes any one of the following:
 - 1. A prescription or medical request form was not provided and no documentation exists to support the reason to issue non-contract formula.
 - 2. Formula was issued to the participant beyond the prescribed and authorized length of issuance.
 - 3. The amount of formula issued exceeded the maximum allowable amount for the form of the formula, infant's age, and feeding option.