

SENATE, No. 539

STATE OF NEW JERSEY 220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

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SYNOPSIS

Requires DOH to issue WIC electronic benefits transfer cards; permits online purchase of eligible foods using WIC funds and carryover of unused WIC benefit amounts; authorizes use of WIC funds for grocery delivery charges.

CURRENT VERSION OF TEXT

As reported by the Senate Health, Human Services and Senior Citizens Committee with technical review.



1 **AN ACT** concerning the New Jersey Special Supplemental Nutrition
2 Program for Women, Infants, and Children, and supplementing
3 Title 26 of the New Jersey Statutes.
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5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

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8 1. As used in this act:

9 “Electronic benefits transfer” means a method that permits
10 electronic access to Special Supplemental Nutrition Program for
11 Women, Infants, and Children (WIC) food benefits using a card or
12 other access device approved by the Secretary of the United States
13 Department of Agriculture.

14 “Food instrument” means a voucher, check, electronic benefits
15 transfer card, coupon, or other document which is used by a
16 participant in the WIC program to obtain supplemental foods.
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18 2. a. Notwithstanding any other provision of law to the contrary,
19 the Commissioner of Health shall implement an electronic benefits
20 transfer system in every county of the State for benefits provided
21 under the federal “Special Supplemental Nutrition Program for
22 Women, Infants, and Children” (WIC), established pursuant to the
23 “Child Nutrition Act of 1966,” Pub.L.89-642 (42 U.S.C. s.1771 et
24 seq.), that meets all federal requirements and specifications for such
25 a system.

26 b. The Department of Health shall issue an electronic benefits
27 transfer card to all individuals receiving benefits under the WIC
28 program, which may be used to purchase WIC-eligible foods at an
29 authorized New Jersey WIC vendor.
30

31 3. a. Notwithstanding any other provision of law to the contrary,
32 an individual who receives benefits under the WIC program shall be
33 permitted to:

34 (1) purchase WIC-eligible foods using the online platform of an
35 authorized New Jersey WIC vendor, including an approved vendor
36 which operates predominantly as an online retailer;

37 (2) expend a portion of the total value of the individual’s WIC
38 check, cash value voucher or electronic benefits during a single
39 transaction, and carry forward any remaining fund balance for use
40 during a future retail transaction; and

41 (3) utilize funds available through any New Jersey WIC food
42 instrument to pay the delivery charge levied by an authorized New
43 Jersey WIC vendor for home delivery of the individual’s WIC-
44 eligible purchase.

45 b. The Commissioner of Health shall apply to the Food and
46 Nutrition Service within the United States Department of Agriculture
47 for any waivers or approvals as shall be necessary to implement the
48 provisions of this section.

S539 RUIZ, POU

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1 4. The Commissioner of Health shall adopt such rules and
2 regulations, pursuant to the “Administrative Procedure Act,”
3 P.L.1968, c.410 (C.52:14B-1 et seq.), as may be necessary to
4 implement the provisions of this act.

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6 5. This act shall take effect immediately.