

**NEW YORK STATE DEPARTMENT OF HEALTH
DIVISION OF NUTRITION**

Food Package III – Participants with Qualifying Medical Conditions

On December 6, 2007, the United States Department of Agriculture issued an interim rule revising the WIC food packages. A major change was to Food Package III – participants with qualifying medical conditions (currently children, women with special needs). Food Package III will now serve all participants, including infants, with qualifying medical conditions. Participants on Food Package III must be medically fragile. The attached table illustrates qualifying and non-qualifying medical conditions of Food Package III.

According to WIC federal regulation, for a participant to receive infant formula (children and women), exempt infant formula or WIC – eligible medical foods a health care professional licensed to write medical prescriptions must make a medical determination that the participant has a qualifying medical condition (see attached table). In addition, the health care professional must also indicate the amount of the infant formula, exempt infant formula or WIC – eligible medical foods needed per day and the length of time the prescribed WIC formula is required by the participant. The health care professional also must indicate any supplemental food restrictions or contraindications. A signature, date and contact information is also required.

Summary of required medical documentation:

- Medical determination of a qualifying condition
- Name of the prescribed WIC formula
- Quantity needed per day of prescribed WIC formula
- Length of time the WIC formula is required by the participant
- Indication of supplemental food restrictions or contraindications
- Signature of health care professional, date and contact information

Attachment

Participant Category	Non-qualifying Conditions	Qualifying Medical Conditions
Infants (up to 12 months)	<ul style="list-style-type: none"> • Non-specific formula or food intolerance • Only condition is a diagnosed formula intolerance or food allergy to lactose, sucrose, milk protein or soy protein that does not require an exempt infant formula 	<ul style="list-style-type: none"> • Premature birth • Low birth weight • Failure to Thrive • Metabolic disorders • Gastrointestinal disorders • Malabsorption syndromes • Immune system disorders • Life threatening disorders, diseases and medical conditions that impair ingestion, digestion, absorption or utilization of nutrients that could adversely effect the participant’s nutrition status
Children (up to five years of age)	<ul style="list-style-type: none"> • Solely for the purpose of enhancing nutrient intake or managing body weight without an underlying condition • Lactose intolerance • Participant preference 	<ul style="list-style-type: none"> • Premature birth • Failure to Thrive • Metabolic disorders • Gastrointestinal disorders • Malabsorption syndromes • Immune system disorders • Life threatening disorders, diseases and medical conditions that impair ingestion, digestion, absorption or utilization of nutrients that could adversely effect the participant’s nutrition status
Women	<ul style="list-style-type: none"> • Solely for the purpose of enhancing nutrient intake or managing body weight without an underlying condition • Lactose intolerance • Participant preference 	<ul style="list-style-type: none"> • Metabolic disorders • Gastrointestinal disorders • Malabsorption syndromes • Immune system disorders • Life threatening disorders, diseases and medical conditions that impair ingestion, digestion, absorption or utilization of nutrients that could adversely effect the participant’s nutrition status