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**Purpose** Outline regulations governing local agency application, selection, periodic review and disqualification

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**Program Minimum Requirements** Federal regulations set forth minimum requirements in the following areas related to local agency participation in the WIC Program.

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**Local Agency Definition** “Local agency” is defined in 246.2 as:

- a. A public or private, nonprofit health or human services agency which provides health services, either directly or through contract, in accordance with 246.5
- b. An IHS service unit
- c. An Indian tribe, band or group recognized by the Department of the Interior which operates a health clinic or is provided health services by an IHS service unit; or
- d. An intertribal council or group that is an authorized representative of Indian tribes, bands or groups recognized by the Department of the Interior, which operates a health clinic or is provided health services by an IHS service unit.

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**Application** Application is described in 246.5(b) and includes:

- a. Requirement for a written application
- b. Time lines for processing
- c. Notification requirements for approval/disapproval.

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**Selection of New Local Agencies** Guidance for selecting and funding agencies is found in 246.5(c) and (d), and includes:

- a. Initiation and expansion in accordance with the state’s Affirmation Action Plan (see Section D later in this volume)
- b. Authority to fund more than one local agency to serve the same area or special population
- c. Minimum considerations for selecting new local agencies. Specifically, the State Agency must consider the local agency’s position in a priority system based on the relative availability of health and administrative services.

**Seeking New  
Local Agencies**

Requirements for seeking new local agencies are described in 246.5(d)(2).

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**Disqualification  
of  
Local  
Agencies**

Disqualification of local agencies is addressed in 246.5(e), including:

- a. Reasons for disqualification.
- b. Authority for the State Agency to establish additional reasons for disqualification.
- c. Requirements for notification and transfer of participants.
- d. Authority to periodically review local agency qualifications is described in 246.5(f).

The regulatory requirements described above form the basis for State Agency procedures and criteria for local agency application, selection, periodic review and disqualification. Those procedure and criteria follow in this section of Volume V.