

**UTAH WIC ADVISORY COUNCIL**  
**BY-LAWS**

**ARTICLE I NAME AND AUTHORIZATION**

**Section 1** The name of the Council shall be the Utah WIC Advisory Council.

**Section 2** The Advisory Council was created by the authorization of the Utah Department of Health, and is administered by the Director of Community and Family Health Services.

**ARTICLE II PURPOSE AND RESPONSIBILITIES**

**Section 1** The Council shall act in an Advisory capacity to the Utah Department of Health as it related to the WIC Program in the State of Utah.

**Section 2** The Council shall recommend policies, standards, and rules governing the WIC Program in Utah. The responsibilities include but are not limited to review and make recommendations on:

1. The State WIC Plan
2. The State Policies and Procedure Manual.
3. Proposed national and State WIC legislation.
4. Proposed Federal and State WIC Regulations and Policies.

**Section 3** The Council shall work toward the creation and implementation of the WIC Program and services in the State which are consistent with the need of WIC participants and are cost effective.

**Section 4** The Council shall seek out and solicit whatever resources are feasible and appropriate which will support the WIC Program.

**Section 5** The Council shall continually assess the appropriateness and effectiveness of the WIC Program and services as they relate to the needs of WIC participants and make appropriate recommendations to be considered by the State WIC Office.

**Section 6** The Council Executive Committee may communicate with the public on activities and concerns related to the WIC Program.

**ARTICLE III MEMBERSHIP**

**Section 1** There shall be a Utah WIC Advisory Council to the WIC Program to consist of no less than 6 and not more than 13 voting members. Members shall be appointed to the Council by the Director of Community and Family Health Services, Utah Department of Health.

- a) One to four members shall be \VIC Participants, "participants" defined as current WIC participants at the time of their appointment) as much as possible. Council should involve participant members residing throughout the State and members of minority populations.
- b) Two to four members shall represent Providers of WIC Services and WIC Related Services with representation of urban agencies and rural areas. These shall be no more than one local provider represented from each local agency.
- c) One to three members shall represent community based organizations and statewide advocacy groups. There shall be no more than one local provider represented from each local agency.
- d) One to two members shall represent the vendor interests.
- e) One to two members shall be a private citizen. whose professional and public interests complement those of the WIC Program.

**Section 2**

Term of Membership - members shall be appointed by the Director of Community and Family Health Services for a two-year term. Terms will begin and end based 011 a calendar year. In the event of resignation, the replacement will finish the term of their predecessor. The replacement will then have the choice if he/she wishes to fulfill another term. Consecutive terms may be approved.

**Section 3**

Any member missing three consecutive meetings of the full meeting without good cause shall be replaced. Good cause will be excused with formal notification given to the Chairperson or the staff secretary of the WIC Program prior to any regularly scheduled meeting.

**Section 4**

**Method of Selection**

**WIC PARTICIPANTS** -When there are vacancies on the Council for a WIC recipient, recipients shall be encouraged to participate through eligible local clinics. Local clinics will post a notice of the vacancy and a description of the Advisory Council's purpose and encourage any interested participants to submit their name to the local WIC Director, who in tum, will submit the name to the Director of Community and Family Health Services within a specified time frame.

**ADVOCATES** - When there are vacancies for an advocate position, community based organizations and interested consumer groups will be requested to make recommendations for representatives to the Director of Commw1ity and Family Health Services within a specified time frame.

**VENDOR** - When there are vacancies for the vendor position, food retailers and the Retail Grocers= Association will be requested to make recommendations for a representative to the Director of Community and Family Health Services within a specified time frame.

**WIC PROVIDERS-** When there are vacancies for WIC Providers, eligible local WIC agencies shall be requested to submit names to the Director of Community and Family Health Services within a specified time frame.

**PRIVATE CITIZENS -** When there are vacancies for the private citizens the council shall submit names to the Director of Community and Family Health Services, within a specified time frame.)

**Section 5**      **Voting Privileges**

- 1) All appointed members are allowed to vote.
- 2) Any member may vote by way of a written or verbal proxy with exception of votes related to use of the WIC Trust Fund. See Article VI, Section(d).

**Section 6**      **Officers**  
**Chairperson**

- 1) Elected yearly by a quorum of the Advisory Council.
- 2) Any person can be re-elected for as many terms of office as they remain on the Council.
- 3) **Duties:**
  - a) schedule and preside over meetings
  - b) develop meeting agendas with consultation with State WIC Program Manager
  - c) represent the committee for press conferences, etc.

**Vice Chairperson**

- 1) Elected yearly by a quorum of the Advisory Council. Any person can be re-elected for as many terms of office as they remain on the Council.
- 3) **Duties:**
  - c) To act as the chairperson in the absence of the Chairperson
  - d) Chairperson and Vice Chairperson should represent different interest groups where possible

**Section 7**      **Executive Committee**

The Executive Committee will be composed of the Chairperson, Vice Chairperson and one to three members from the Council. Different types of member groups as defined in Article III, Section 4 will be represented. The Executive Committee will deal with emergency matters when it is not possible for the Council to meet.

**ARTICLE IV**    **MEETINGS**

**Section 1**      The Council shall meet and shall be called as often as the Chairperson and/or Executive Committee deems necessary.

**Section 2** A quorum for conducting official business shall consist of one-half of the members of the filled positions.

**Section 3** Sub-committees shall be formed as necessary. Members and chairpersons of the sub-committee shall be appointed by the Chairperson of the Council.

**Section 4** All meetings of the Advisory Council are open to the public.

**ARTICLE V FUNDING**

The State Department of Health shall provide the following for Council members attending meetings who do not receive reimbursement from any other source.

- 1) Travel costs at no less than the present travel reimbursement of the State Department of Health.
- 2) Day Care costs based on DFS licensed day care rates. The WIC Office shall provide administrative support necessary for the effective operation of the Advisory Council such as staff secretary, postage, etc.

**ARTICLE VI UTAH WIC TRUST FUND**

**Section 1 Preamble**

In 1991, the Utah Legislature established an expendable trust fund titled the Women, Infants and Children WIC Supplemental Food Program Fund herein referred to as the Utah WIC Trust. \$450,000.00 received by the Division of Family Health Services from infant formula companies was used to establish the Utah WIC Trust Fund. The enacting legislation, HB-446, put forth the following provisions:

- a) The money in the fund may be used only for the Department's Special Supplemental Food Program for Women, Infants, and Children.
- b) The money in the fund may only be used upon joint agreement of the department and State WIC Advisory Council established by the department.
- c) The Act creating the Utah WIC Trust.

WIC Trust Fund Senate Bill SB72 (passed January 1995)  
Made permanent WIC Trust Fund established several years ago to pay for increased cost in the WIC Program due to increases in food costs. The \$450,000.00 fund is funded entirely out of rebate received from Companies who provide formula purchased by WIC clients.

**Section 2 Use of WIC Trust**

The Utah WIC Trust may be used for any activities as allowed in Section 1, subsection (a). In considering use of the Trust, the following priorities are to be considered:

- a) Avoiding crisis reduction of caseload as the result of unexpected food price increases, caseload increases or administrative expenses.
- b) Avoiding the need to enter into caseload management that which will remove certain categories from receiving services.
- c) If in caseload management are maintaining services to as many client priorities as possible.
- d) Conducting statewide or regional outreach campaigns to optimize overall WIC participation of targeted populations.
- e) Avoiding gaps in food and administrative operations that result from delays in the receipt of WIC funding from the federal government to the State through the temporary loan of Utah WIC Trust funds to the department.
- f) Dealing with food or administrative funding shortfalls in local offices, if use of Trust funds will make or ensure the continuance of local WIC services at a meaningful level.

**Section 3**      **Initiating Use of Utah WIC Trust Funds**

- a) Request to use Utah WIC Trust funds may be initiated by either the Department or members of the Council.
- b) Written notice of a vote to use Trust Funds may be mailed to all members of the Council ten days prior to a regularly scheduled or special meeting of the Council. The notice shall outline the need being addressed and the potential amount of funds that is being requested.
- c) Motions before the Council to use Trust Funds shall include:
  - 1. The amount of money required.
  - 2. A time frame for the use of Trust funds.
  - 3. Reporting accountability procedures.
- d) Approval to use Utah WIC Trust funds shall require an affirmative vote of two-thirds of the quorum. Written or oral proxy votes shall not be allowed.

**Section 4**      **Joint Agreement of the Council and Department**

- a) The Council shall respond to a request by the Department to use WIC Trust funds within 30 days of the receipt of the request by the Council Chairperson or other member of the Executive Committee acting as Chairperson.
- b) The authority for an agreement by the Department to use Utah WIC Trust Funds shall reside in the Director of the Division of Community and Family Health Services or with his or her designated representative.

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- c) The Department through the Director of the Division of Community and Family Health Services or his or her representative shall respond to a motion initiated by the Council use Utah WIC Trust within twenty (20) days of receipt of the request.

**ARTICLE VII**   **Section 1**   **Robert's Rules of Order**

Robert's Rules of Order shall apply in all situations not specifically covered by the By- Laws.

**ARTICLE VIII**   **Amendments**

**Section 1**   These By-Laws shall be amended only by an affirmative vote of two-thirds or more of the quorum.

**Section 2**   Written notice setting forth the proposed amendments shall be mailed or given to each member at least ten (10) days prior to the meeting which they are to be considered.

**ARTICLE IX**   **Construction of the WIC Advisory Council**

The WIC Advisory Council will evaluate the necessity and purpose of the Council every two years to determine if there is a continuing need for this forum.