

Policy

Confidential vendor information is any information about a vendor (whether it is obtained from the vendor or another source) that individually identifies the vendor, except for vendor's name, address, telephone number, Web site/email address, and vendor type and authorization status. The Georgia WIC Program will apply the same limitations to the use and release of information obtained from USDA-Supplemental Nutrition Assistance Program (SNAP) regarding SNAP retailers, whether or not the retailer is a WIC retailer. Except as otherwise permitted by this section, the Georgia Women, Infants and Children Program (GAWIC) must restrict the use or disclosure of confidential vendor information to:

- (1) Persons directly connected with the administration or enforcement of the WIC Program or the Georgia Department of Human Services – Supplemental Nutrition Assistance Program (SNAP) or whom GAWIC Legal Unit determines have a need to know the information for purposes of these programs.
- (2) Persons directly connected with the administration or enforcement of any Federal or State law or local law or ordinance. Prior to releasing the information to one of these parties (other than a Federal agency), GAWIC must enter into a written agreement with the requesting party specifying that such information may not be used or disclosed except for purposes directly connected to the administration or enforcement of a Federal, or State law; and
- (3) A vendor that is subject to an adverse action, including a claim, to the extent that the confidential information concerns the vendor subject to the adverse action and is related to the adverse action.

Purpose

The State of Georgia strongly supports public access to records in an effort to promote transparent and open government, and, thus, finds that public records should be made available for public inspection without delay, except when specifically required by federal statute or regulation to be kept confidential. The federal statute and regulations governing the administration of the Georgia WIC Program (GAWIC) requires that confidential vendor information must be protected from disclosure except as authorized by the federal regulations.

Procedures

- I. Generally, all Open Records Act requests made by the public must be immediately forwarded to the Open Records Act Officer immediately, preferably within the same day as the request is received by a DPH employee, in accordance with GDPH Policy #GC-09002. In the alternative such requests must be immediately forwarded to the GAWIC Legal Unit, preferably the same day the request is received.
- II. Where vendor information is requested by persons directly connected with the administration or enforcement of WIC or SNAP, or persons directly connected with the administration and enforcement of Federal, State, or local laws/ordinances, such requests must be made directly to the GAWIC Legal Unit. To process requests in a timely, consistent and orderly manner, and to track receipt and fulfillment of request, the requests must be submitted by email to:

wic-vm@dph.ga.gov

- A. When submitting a request through the designated email address above, the following information must be provided:
 1. Date of the request
 2. Requestor's name and Title/Position
 3. Requestor's full mailing address (organization, street address, city, state, ZIP)
 4. Requestor's day time phone number
 5. A complete description of the information requested
 6. Purpose for which the information is being requested
- III. If a requestor does not provide the information listed above, the request will be considered incomplete and GAWIC's consideration of the request will be delayed pending receipt of the additional information needed. A request is considered received when the GAWIC Legal Unit has confirmed receipt of the emailed request. Requests made by phone will not be accepted.
- IV. HOW REQUESTS ARE PROCESSED
 - A. The GA WIC Legal Unit will provide a formal response to a request for confidential vendor information within three business days of receipt of a request. If a request is received after 5 p.m., the request will be considered received on the next business day. The formal response will include:
 1. A description of the records

2. An estimate of the time necessary to compile the records containing the information requested, if the records are available but will take more than three days to compile
3. A request for clarification of the request
4. Data Use Agreement Form (If applicable)
5. Denial of the request accompanied by an explanation of the basis for the denial.

If the formal response asks for clarification of the request, no further response will be made to the requestor until the clarification is received by the GAWIC Legal Unit. Where the request is extraordinarily large such that extensive use of information technology resources or extensive clerical or supervisory assistance by personnel is required, the GAWIC Legal Unit will respond to the requestor to discuss the most appropriate procedure to efficiently meet the request.

- B. Information requests are not continuing in nature. Therefore, a request only applies to information available at the time of the request. If additional information becomes available after the date of the original request, the requestor must submit a new request for this information. Any information or portions of information made available by GAWIC will be provided to the requestor in the same format they are maintained by the GAWIC.

If the requestor specifies a preference for a specific format, information will be produced in the requested format if:

1. It is determined that the information exists and is subject to release
 2. GAWIC is capable of providing the information in the format requested
 3. The format requested is consistent with how the information is maintained
- C. Requests for information will be addressed and fulfilled according to the order in which they are received. Multiple requests from the same requestor and/or different requestors from the same organization will be addressed and fulfilled according to the order in which they are received, unless otherwise specified by the requestor or the organization.
- D. Confidential vendor information will be transferred using the most secure, permissible modes of transmission to a requestor. Transmissions via email may only be made if encrypted.

Effective Date: October 1, 2016

No. of Pages: 4

Authority

7 CFR § 246.26(e), (f)
GDPH Policy #GC-09002
7 CFR § 278.1(q)
O.C.G.A. § 50-18-70
O.C.G.A. § 50-18-71
O.C.G.A. § 50-18-72

Definitions/Supporting Information

Related Tools:

Microsoft Outlook – Mailbox for wic-vm@dph.ga.gov.

Other Documents:

[Data Use Agreement Form](#)

Contact Information

Georgia Department of Public Health
Georgia WIC Program
Office of Vendor Management
Cost Containment & Analytics Unit
2 Peachtree Street, NW, 10th Floor
Atlanta, Georgia 30303