

§3107. Women, Infants and Children Special Supplemental Food Program vendor, provider and participant penalties

The department, as part of its administration of the Women, Infants and Children Special Supplemental Food Program of the federal Child Nutrition Act of 1966, referred to in this section as "the program," shall adopt rules defining prohibited conduct under the program and establishing penalties for such conduct and as necessary to implement this section. After providing an opportunity for a hearing in accordance with Title 5, chapter 375, subchapter 4, 7 Code of Federal Regulations, Section 246.9 (2011), 7 Code of Federal Regulations, Section 246.18 (2011) and any other federal law that applies to adjudicatory proceedings for vendors, providers and participants and making a determination that the affected party has violated a provision of the program, including rules that apply to the program, the department may: [PL 2011, c. 512, §2 (RPR).]

1. Vendors. Assess and impose a fine or penalty against a vendor under the program; [PL 2011, c. 512, §2 (NEW).]

2. Providers. Disqualify a local agency provider under the program; or [PL 2011, c. 512, §2 (NEW).]

3. Participants. Require repayment of benefits made under the program to a participant or disqualify a participant from program benefits. [PL 2011, c. 512, §2 (NEW).]

Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2011, c. 512, §2 (NEW).]

SECTION HISTORY

PL 1989, c. 777 (NEW). PL 2011, c. 512, §2 (RPR).

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