

Section 1.19: Avoid Conflict of Interest to Assure Program Integrity

04/2021

References: 7 CFR 246.4(a)(27), MOM Section 5.2

Policy: Implement controls and procedures to avoid, or appropriately manage, potential conflicts of interest to assure program integrity.

Purpose: To prevent and detect conflicts of interest and employee fraud/abuse; and to report suspected situations to the State WIC Consultant and Local Authorities.

Conflict of Interest Examples:

- Certifying oneself
- Certifying relatives or close friends
- Promoting one's own personal or business interest in WIC
- Referring participants to a grocery store or pharmacy owned by a family member
- Accepting payment for referrals to a grocery store or pharmacy
- Any personal, business, or financial interest/relationship between Local Agency staff and grocery store or pharmacy
- Allowing vendors of any type to sell or promote products in the WIC setting. Materials containing advertising for WIC-allowed products may not be used in clinic.

Procedures:

- Local agency WIC staff and family members may participate in the WIC program, if eligible. However, the WIC Coordinator (or supervisor) and the staff member must assure there are no conflicts of interest. WIC staff shall not certify or issue food benefits to oneself or one's children or grandchildren. This means that the WIC Information System record of a WIC employee/family member must indicate that eligibility was determined and Separation of Duties was documented by other WIC employees. In some situations, it may be preferable for another WIC agency to provide services for the WIC staff member. Please contact the WIC Consultant with questions about where staff should be served.
- Local agency WIC staff must advise their WIC Coordinator (or supervisor) about any relatives or close friends participating in WIC through that clinic/local agency that could

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present a conflict of interest. The Supervisor or WIC Coordinator should attempt to assign different staff to complete the certification.

- WIC staff shall not certify or issue food benefits to relatives or close friends. If there are no other staff available to do the certification, certifying relatives or close friends may only occur with prior approval by the local supervisor, and after notifying the WIC Consultant. In the rare situations where this occurs with supervisor approval, an individual other than the certifier must conduct a post review of all such records within two weeks of the certification. Documentation must be maintained in the WIC Information System
- Local agency staff must notify their supervisor of any conflict of interest with personal, business, or financial interest/relationship with any WIC related business. Local agency staff cannot be a manager, owner, shareholder, partner, or corporate officer (i.e., controlling person as defined in the [Minnesota WIC Rules](#)) of a WIC authorized grocery store or pharmacy. Potential conflicts of interest must be evaluated by local leadership and reported to the WIC Consultant.

Fraud/Abuse

- Any deliberate effort to defraud or abuse the Minnesota WIC Program including, but not limited to the following, shall be considered an act of employee misconduct:
 - Inappropriately issuing/taking WIC benefits, such as by giving or using false/misleading information, and/or certifying or issuing benefits to fictitious participants.
 - Certifying or issuing benefits to oneself, one's children or grandchildren, relatives or close friends without prior approval of local leadership and/or without having a monitoring plan in place.
 - Theft of formula, food, or WIC-owned property.
- Local Agencies are required to report questionable certifications and benefit issuance and/or suspected staff fraud to their WIC Consultant or the State Agency within a week of the issue being identified. Any reported issues will be evaluated by the State WIC office.

Guidance

Consult your State WIC Consultant with any questions or concerns.

Reference – Complete Listing of Hyperlinks

[Minnesota WIC Rules](https://www.revisor.mn.gov/rules/4617/) (https://www.revisor.mn.gov/rules/4617/)

[Section 1.18](https://www.health.state.mn.us/docs/people/wic/localagency/program/mom/chsctns/ch1/sctn1_18.pdf)

(https://www.health.state.mn.us/docs/people/wic/localagency/program/mom/chsctns/ch1/sctn1_18.pdf)

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Minnesota Department of Health - WIC Program, 625 Robert St N, PO BOX 64975, ST PAUL MN 55164-0975; 1-800-657-3942, health.wic@state.mn.us, www.health.state.mn.us; to obtain this information in a different format, call: 1-800-657-3942.