

## SECTION 5.2

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**Subject:** Certification Procedures

**References:** 7CFR 246.7, 246.12

**Policy:** Staff must follow procedures during the certification process.

**Purpose:** To accurately assess and enroll all eligible applicants for WIC services.

**Procedures:**

1. Maintain Separation of Duties in the certification process.
  - One employee cannot determine both income eligibility and medical/nutrition risk in the certification process for the same participant. See [Section 1.18](#), *Separation of Duties to Assure Program Integrity*.
  - WIC staff shall not complete any part of the certification or issue food benefits to oneself, one's children or grandchildren, relatives or close friends. See [Section 1.19](#), *Avoid Conflict of Interest to Assure Program Integrity*.
2. At the certification appointment, the CPA must assess the eligibility of each applicant including:
  - Category (Woman, Infant, Child)
  - Minnesota residency
  - Identity
  - Income eligibility
  - Health and nutritional risk
3. When the applicant is determined to be eligible at certification, the CPA must:
  - Obtain anthropometric measurements and bloodwork as required.
  - Provide a health and nutrition assessment.
  - Provide nutrition education appropriate to the participant's nutritional need and interests.
  - Discuss available food choices with the participant/ parent and determine an appropriate food prescription based on nutrition needs and preferences.
  - Provide referrals as appropriate.
  - Sign the signature pad as confirmation that the participant was determined eligible.
4. The CPA or other appropriate staff must:
  - Review the [Rights & Responsibilities form](#) with the participant after finishing the certification and have the participant sign the signature pad to acknowledge acceptance.
  - Provide a [WIC ID Folder \(Exhibit 5-Z\)](#) for new participants or update the names of proxies as needed on the current folder for existing participants. See [Section 5.8](#) WIC ID Folder.

- Issue food benefits as designated by the CPA.
  - Explain the food benefits and how to shop for WIC foods (see [Section 7.2](#), *Allowed WIC Foods*).
  - Provide materials including:
    - [Welcome to WIC Handbook \(Exhibit 5-FF\)](#)
    - [WIC Shopping Guide](#)
    - List of WIC approved vendors in the area. Refer to the [WIC Grocery Stores](#) search function to identify vendors.
5. A proxy may stand in for the participant/parent/guardian (PPG) at a certification if the latter is not able to be present.
- By designating the proxy to represent him/her and sending the proxy to the WIC clinic in his/her place, the PPG has given implied consent for WIC staff to share information with the proxy as appropriate for the type of appointment or interaction being conducted.
  - The participant/parent/guardian may designate up to two proxies to represent him/her at the WIC clinic and/or grocery store.
  - The proxy must be a competent person, at least 16 years old.
6. All information about the participant is private data. A signed release from the participant or a court order is required to release information. See [Section 1.7](#), *Data Privacy* for more information.

### Temporary Eligibility

If required documentation (for residency, identity or income) is not available at the certification appointment, the CPA should complete the certification process and notify the participant that his/her eligibility is temporary, pending receipt of the required documentation.

- Only **one month** of food benefits may be issued, and the applicant told what required documentation must be brought the next month.
- An alert should be placed in the participant record.

Temporary income eligibility may only be used with applicants whose self-declared household income does not exceed [185% FPG](#) (federal poverty guidelines). For applicants whose income is above traditional income guidelines, but is within the Minnesota Health Care Program (MHCP) guidelines, see [Section 5.2.4 Income - Presumptive Eligibility](#).

At the next visit, staff must review appropriate documentation and make a determination of current eligibility.

- Enter the information (such as what documentation was provided) into the participant record.
- Issue food benefits if appropriate or initiate ineligibility procedures. See [Section 5.4 Notification of Ineligibility/Disqualification](#).
- Under no circumstances may a second 30-day temporary eligibility period be allowed.

## 5.2.1 Category

**Reference:** 7CFR 246.7 (c)

**Policy:** Each applicant must be in a category that is eligible for WIC participation. Eligible categories are; pregnant women, postpartum women, postpartum breastfeeding women, children less than age five, and infants.

**Purpose:** To ensure that applicants are eligible for the WIC program.

### **Procedure:**

Determine if the applicant is one of the following:

- A pregnant woman determined to have one or more embryos or fetuses in utero (proof of pregnancy is not required);
- A post-partum woman within 12 months of the end of a pregnancy who is breastfeeding or providing breast milk to her infant an average of once per day or more;
- A postpartum non-breastfeeding woman within six months of termination of a pregnancy. The end of a pregnancy is the date the pregnancy terminates (i.e., date of delivery, abortion, fetal death or miscarriage);
- An infant under one year of age; or
- A child who has had her/his first birthday but has not yet reached her/his fifth birthday.

### **Certification Periods:**

Services are to be provided to participants throughout their certification period as long as they remain income eligible, unless the participant chooses not to continue, or in cases of participant abuse.

- **Pregnant Women** are categorically eligible through the duration of their pregnancy and up to six (6) weeks postpartum. Following delivery, women may receive one food package before being certified as a postpartum woman. To continue beyond the 6 weeks postpartum period, the woman must be certified as either a breastfeeding or non-breastfeeding woman.
- **Breastfeeding women** are categorically eligible for **up to one year**, ending with the last day of the month in which her breastfed infant turns one. A postpartum woman who provides breast milk to her infant, on average at least once a day, is considered a “breastfeeding woman”. (A breastfeeding woman who becomes pregnant should be certified as a *pregnant woman*.)
  - Breastfeeding women are either fully breastfeeding (her infant is breastfed, and receives no formula from WIC) or *partially* breastfeeding (her infant is breastfed and receives some formula from WIC). The **certification periods are the same**, however the WIC food package the woman is eligible to receive depends on the amount of breastfeeding and her infant’s age. See [Chapter 7, Food Package](#).

- If a breastfeeding woman reduces her breastfeeding to *less than once a day*, the CPA **must change her category** in the participant record to a *non-breastfeeding postpartum woman*.
  - If her infant is less than 6 months old, she is categorically eligible to stay on the program as a non-breastfeeding postpartum woman until the last day of the month in which her infant turns 6 months old. Nutrition risk codes and priority are not changed at this time.
  - If her infant is 6 months or older, she is given 15 days notification of pending ineligibility. If she is due to receive voucher within the 15 days, CPAs may issue a final month of food benefits.
- **Non-breastfeeding postpartum women** are categorically eligible for up to 6 months from the end of the pregnancy. This includes a woman who had an abortion, a miscarriage, or a fetal death.
- **Infants under 6 months of age** are categorically eligible until the last day of the month in which they turn 1 year old. A nutrition/health assessment and blood test for anemia are performed at mid-certification at 9 months of age. The data collected at mid-certification includes hemoglobin, weight, length, dietary information, and routine pediatric care visits.
- **Infants 6 months of age and over** are categorically eligible for a six-month period.
- **Children** are categorically eligible at one year intervals, ending with the last day of the month in which the child reaches the 5<sup>th</sup> birthday.

**Note:** In situations where there is difficulty scheduling the appointment for pregnant women, postpartum breastfeeding women, infants, and children, the certification period may be shortened or lengthened by a period not to exceed 30 days.

## 5.2.2 Residency

**References:** 7 CFR 246.7, Local Agency Grant Agreement

**Policy:** An applicant must be living in Minnesota and must provide proof of residency (including a physical address) at certification. To receive Minnesota WIC benefits, a participant must reside in Minnesota at the time of issuance and during the time for which the benefits are intended. Participants who are (or intend to be) out of the state or out of the county are not eligible for Minnesota WIC benefits until they return to Minnesota. Benefits may not be given to a proxy for the purpose of mailing benefits to members of a family who are out of Minnesota.

**Purpose:** To ensure that applicants are eligible for the WIC program.

### Procedures:

1. At the certification, review source of documentation of residency. Some examples of acceptable forms of proof of residency include:
  - Bill
  - Driver's license
  - Lease agreement
  - Mail addressed to applicant
  - Pay stub (paper or electronic)
  - Rent receipt
  - Signed statement verifying residency from a landlord, employer, shelter worker, staff engaged in public or private social services, legal services, law enforcement, or health services.
  - *Safe at Home* participation card (see Guidance)
2. If the information is adequate, document sources in the WIC Information System.
3. Even if applicants are known to staff, they must still provide documentation of residency at the initial certification. "Known to Staff" may not be used for anyone at the initial certification. Staff should routinely ask, "Did you bring something with your name and address on it, such as a driver's license or paystub?"
4. For infants and children, proof of the parent or guardian's residency may be used.
5. A **post office box** may **not** be used as the physical residence address except for participants enrolled in the *Safe at Home* program.
6. *Safe at Home*: the following are procedures for working with families enrolled in the [Safe at Home](#) program, a statewide Address Confidentiality Service administered by the Office of the Secretary of State for victims of abuse.

- [Minnesota Statutes Chapter 5B](#) and [Minnesota Rules Chapter 8290](#) mandate that all public and private entities must accept a participant's assigned *Safe at Home* address (PO Box) as their actual address of residence.
- Use the participant's *Safe at Home* program participation card to verify enrollment in the program.
- Use the participant's *Safe at Home* PO Box address for both the *physical residence* and *mailing* addresses. All participants have the same PO Box number, but each will have an individual lot number that goes with it.
- Write a brief note in the participant record explaining that the participant is enrolled in *Safe at Home*.

7. Proceed with certification.

**If documentation is not available:**

1. Finish the certification using "*Pending Proof*" in the drop-down menu for documentation of residency.
2. Inform the applicant that s/he has temporary eligibility for WIC and must provide the residency documentation within 30 days.
3. Give the applicant a written reminder of what information is needed.
4. Provide the applicant with one month of benefits and arrange for a visit the next month.
5. Put an alert in the participant record to ask for documentation at the next visit.
6. Follow up on pending documentation needed the following month.
  - If the participant provides the documentation: review appropriate documentation and make a determination of current eligibility.
    - Document appropriate information in the participant record, such as what proof of residency was provided.
    - Issue benefits as appropriate.
  - If the applicant fails to bring the required documentation: do not issue benefits until the participant returns with the required documentation.

**Waiver - limited situations when a waiver may be used for lack of residency documentation:**

In limited circumstances, staff may determine that the applicant is in a situation in which written documents are not available. Examples may include:

- Fire
- Theft
- Disaster

- Migrant families
  - Homeless individual or family
  - Landlord who refuses to provide a written statement documenting residency
1. Complete the certification using “*Waiver Signed*” in the drop down menu for the documentation of residency.
  2. Print the *Certification Notice* and have the participant sign and indicate what information s/he is unable to provide. Scan this form into the participant record.
  3. Assess the individual situation and issue the appropriate set(s) of benefits that best meets the needs of the applicant.

**Guidance:**

- Personal knowledge of the participant’s residence by WIC staff at subsequent certifications may be allowed once initial proof of residency has been established.
- If residency has been documented for one family member within the last 3 months, it can be used for other family members being certified within that 3 month period.
- Staff should assist applicants by suggesting ways to meet the residency requirement, such as bringing in an envelope mailed to them at their current address.
- Applicants do not need to be U.S. citizens to receive WIC services.
- Local agencies should contact their State Consultant with any questions or concerns regarding residency.

### 5.2.3 Identity

**References:** 7CFR 246.7 (e)

**Policy:** Each applicant must provide proof of identity at each certification. If the applicant is an infant or child, proof of identity for the parent, foster parent, or guardian is also required.

**Purpose:** To establish the identity of the applicant.

#### **Procedure:**

##### **If documentation is available:**

1. At the certification, review proof of documentation of identity.  
Some examples of acceptable forms of proof of identity include:
  - Baptismal certificate
  - Birth certificate
  - Crib card
  - Driver's license
  - Health benefits (insurance) card
  - Passport
  - Pay stub
  - Phone System/Online DHS Verification
  - Photo ID: Acceptable forms include, but are not limited to, photo ID issued by governments (including tribal governments and governments of other countries), by employers and by schools
  - School ID
  - Social Security card
  - Social services benefit card
  - Voter Registration card
  - [WIC ID Folder](#) (at recert only)

Visual personal recognition by WIC staff at issuance of food benefits or subsequent certifications may be allowed once initial proof of identity has been documented.

2. If information is adequate, document sources in the participant record.
3. Proceed with the certification.

##### **If documentation is not available:**

1. Finish the certification using "*Pending Proof*" in the drop-down menu for documentation of identity.

2. Inform the applicant that she/he has temporary eligibility for WIC and must provide the identity documentation within 30 days.
3. Finish the certification using “*Pending Proof*” in the drop-down menu for documentation of identity.
4. Give the applicant a written reminder of what information is needed.
5. Provide the applicant with one month of food benefits and arrange for a visit the next month.
6. Put an alert in the participant record to ask for documentation at the next visit.
  - At the next visit, staff must review appropriate documentation and make a determination of current eligibility. Add appropriate information to the participant record, such as what form of documentation was provided. Issue food benefits as appropriate.
  - If the applicant fails to bring the required documentation, do not issue food benefits until the participant returns with the required documentation.

#### **Identity Requirements:**

- Initial certification:
  - Proof of identity for the applicant
  - In addition, if the applicant is an infant or child, identity for the parent/guardian or proxy is required.
- Subsequent certification:
  - [WIC ID Folder](#) **or** another acceptable form of identification
  - Photo ID for proxy unknown to staff (See [Section 5.8-2](#), *WIC Identification Folder, Proxies*)
  - Visual personal recognition by staff is acceptable
- Nutrition education/Voucher issuance visit:
  - [WIC ID Folder](#) **or** another acceptable form of identification
  - Photo ID for proxy unknown to staff
  - Visual personal recognition by staff is acceptable
- In-state transfers in a valid certification:
  - An acceptable form of identification
- Transfers in a valid certification from other states:
  - Proof of identity for the participant
  - If the participant is an infant or child;
    - The VOC document may be used as proof of identity for the child
    - Proof of identity is required for the child’s parent/guardian

## **Waiver - limited situations when a waiver may be used for lack of identity documentation**

In limited circumstances, staff may determine that the applicant is in a situation in which written documents are not available. Examples might include:

- Fire
- Theft
- Disaster
- Migrant families
- Homeless individual or family
- Applicant whose spouse or partner refuses to provide identity documentation (such as a birth certificate for a child)

1. Complete the certification using “*Waiver Signed*” in the drop down menu for the documentation of income.
2. Print the *Certification Notice*. Have the participant/parent/guardian sign and indicate what information s/he is unable to provide. Scan this form into the participant record.
3. Assess the individual situation and issue the appropriate set(s) of food benefits that best meets the needs of the applicant.

## **Guidance:**

- Staff should assist applicants by suggesting ways to meet the identity requirement.
- For applicants known to staff, documentation of identity is still required at the initial certification. Staff should routinely ask, “Did you bring something with your name and address on it, such as a driver’s license or paystub?”
- Visual personal recognition by WIC staff at subsequent contacts may be allowed once initial proof of identity has been established.
- Applicants do not need to be US citizens to receive WIC services and food benefits.

## 5.2.4 Income

### References: 7CFR 246.7 (d)

**Policy:** Each applicant must provide proof of income eligibility for WIC, either through an automatic/adjunctive program or with documentation of household income at each certification.

**Purpose:** To establish income eligibility of the applicant.

### Procedures:

Applicants are determined to be income eligible in one of these ways:

- Automatic/Adjunctive eligibility based on being currently certified eligible to receive services from another program with comparable income guidelines or being a member of a household in which a family member is currently certified eligible for an adjunctive program.
- Traditional Income Determination based on household size and income.

### Automatic/Adjunctive Eligibility:

If anyone in the household is currently certified eligible for an adjunctive or automatic eligibility program, members of the household are WIC-eligible. Adjunctive/automatic eligibility programs are:

#### Eligibility at Household Level:

Medicaid (MA)

Minnesota Care

Minnesota Family Investment Program (MFIP)

Supplemental Nutrition Assistance Program (SNAP, previously Food Stamps)

Free/Reduced Price School Lunch

Head Start

Fuel Assistance

#### Eligibility at Individual Level:

Supplemental Security Income (SSI) or Tax Equity Fiscal Responsibility Act (TEFRA)

- **Household members of the SSI or TEFRA-eligible applicant, however, are not adjunctively eligible for WIC.**

#### At certification:

1. Staff must verify current income eligibility using one of the following:
  - *Notice of Eligibility Letter* from the adjunct program
  - Other written documentation of eligibility from the appropriate agency
  - On-line or telephone access to adjunct programs that verify current eligibility

- Direct contact with the appropriate agency.

*A Minnesota Health Services Card alone is not adequate unless staff have verified current eligibility for MA.*

2. Self declaration of income is not adequate.
3. When current eligibility is determined, document this information in the participant record and proceed with the certification.
4. If the applicant is missing proof of eligibility, he/she is temporarily eligible for **30 days**. Use both the “Pending Proof” dropdown option and the checkbox in the Income screen to indicate this. In no case may this temporary eligibility be extended beyond 30 days.

### **Traditional Income Determination:**

If the applicant is not eligible under an adjunct program, determine household size and proceed with eligibility determination based on traditional income guidelines.

#### **1. Household Size**

- For WIC purposes, “household” is defined as a group of related or non-related individuals who usually (although not necessarily) live together as an economic unit and who share income and the consumption of goods and services.

#### **Other examples:**

- A **pregnant woman** should be counted as two or more, taking into account the number of unborn fetuses.
- **Active military duty:** If the household includes a parent or stepparent who is on active military duty, the absent member may be considered a member of the household. If the child is living with others such as grandparents because the parent(s) is on active military duty, the child(ren) may be considered a separate household if this is more favorable to their eligibility.
- **Split or joint custody:** When the custody of the child is split, the child shall be considered a member of the household in which he or she lives the majority of the time. If the parents share custody 50/50, the child can only qualify for WIC in one parent’s household.
  - Parents can be encouraged to share the food or have the other parent as a proxy on the ID folder for the child.
  - If custody papers are available, staff should consider custody arrangements when issuing food benefits.
- If an adult in the household is making **child support** payments for a child not living in this household and who is not receiving WIC food benefits in another household, this

child may be counted as a member of the household. Child support payments do not reduce family income.

- **A foster child**, who is living with a family but remains the legal responsibility of a social service or other agency, should be considered a family of one. These children are usually eligible for Medicaid (MA). If siblings enter the same foster care home, the number of siblings can be considered the household size and one household ID number assigned to them.

Questions to Ask to Determine Separate Household	Household Size
Does the household provide free food, clothing, shelter, etc. with no expectation of payment or in-kind food benefits?	if <b>Yes</b> → applicant is not counted as a separate household – include in the household size  if <b>No</b> → count as a separate household
Does the applicant pay the household for living in their home?	if <b>Yes</b> → count as a separate household  if <b>No</b> → include in the household size
Does the applicant exchange work, (e.g. household chores, babysitting) for the ability to live in the home?	if <b>Yes</b> → count as a separate household
Does the applicant share income and expenses with other people in the household?	if <b>Yes</b> → include in the household size  if <b>No</b> → count as a separate household
Can the applicant provide current eligibility of Minnesota Health Care Programs, SNAP benefits, or MFIP?	if <b>Yes</b> → count as a separate household
Can the applicant verify her status as an emancipated minor (reported or as determined by the Court)?	if <b>Yes</b> → may be an indicator of a separate household

**2. Income Determination:**

- Income means gross cash income before deductions. If the applicant is self-employed or farms, use the *Total Income* line from the most recent federal income tax return to verify income. Refer to [Using Tax Return Information for Income Determination](#) for more information.

- Local agencies are encouraged to define current income as all income received by the household during the 30 days prior to the date of the WIC application. However, there are situations where a household's current income is more accurately determined by including income in the past 12 months or income anticipated in the next 30 days. Examples of these situations include, but are not limited to:
  - If the household has a recent decrease in income (e.g., the sole support of the family has just been laid off) WIC staff can use prospective income (current income that will be available to the household in the next 30 days).
  - Annual income may be more appropriate to reflect a household's financial circumstances for:
    - Self-employed individuals, including farm income
    - A household where a family member who is on maternity leave will return to her job
    - Teachers who are on a temporary leave for the summer
    - College students who work only during the summer months and school breaks
    - Household member with frequent overtime pay
    - Seasonally employed workers whose income fluctuates

**Income sources include but are not limited to the following:**

- Monetary compensation for services, such as wages, salary, commissions or fees
- Net income from farm or self-employment (use [Total Income line](#) on the most recent tax return)
- Social Security benefits
- Dividends or interest on savings or bonds, income from estates, or net rental income
- Public assistance or welfare payments
- Unemployment compensation
- Government civilian employee, or military retirement or pensions, or veteran's payments
- Private pensions or annuities
- Alimony or child support payments
- Regular contributions from persons not living in the household

- Net royalties
- Other cash income. This includes, but is not limited to:
  - Cash amounts received or withdrawn from any source, including savings
  - Investments
  - Insurance premiums
  - Bonds
  - Tribal per capita income from casino profits
  - Trust accounts
  - Other resources that are readily available to the family
  - Student financial assistance, such as grants and scholarships, **except** those from programs funded under Title IV of the Higher Education Act of 1965. See next section for those exclusions.

**Income does not include the following:**

- **Student loans and grants** funded by programs funded in whole or part under Title IV of the Higher Education Act of 1965 and used for tuition, student fees, the costs for rental or purchase of any required equipment, materials, supplies, books, transportation and miscellaneous personal expenses for a student. The following is a list of these exclusions:
  - Pell Grant
  - Supplemental Educational Opportunity Grant
  - State Student Incentive Grant (SEOG)
  - PLUS
  - College Work Study
  - Byrd Honor Scholarships
  - National Direct Student Loans
- Payments under the Carl D. Perkins Vocational Education Act as amended by the Carl D. Perkins Vocational and Applied Technology Act Amendments of 1990
- **Loans**, either from a bank or from a personal resource (friend, church, etc.) since these funds are only temporarily available and must be repaid.
- Mandatory salary reduction amount for military service personnel to fund the Veteran's Educational Assistance Act of 1984 (GI Bill)
- **Military Pay (certain types of income as listed below)**
  - Basic allowance for housing (BAH) received by military services personnel residing off military installations or in privatized housing, whether on- or off-base.

- Cost-of-living allowance provided to a member of uniformed services who is on duty outside the contiguous states of the United States (OCONUS COLA).
- Payments made to members of the armed forces and their families for Family Subsistence Supplemental Allowance (FSSA), if the inclusion of this amount makes the family ineligible for WIC.
- Combat pay and hostile fire pay for household members who are on active military duty; detail may be found in the *Entitlements* column of the military *Leave and Earning Statement (LES)*.
- Payments pursuant to Agent Orange Compensation Exclusion Act.
- Funds received from Filipino Veteran Equity Compensation Fund.
- The value of in-kind housing or other in-kind benefits. An in-kind benefit is anything of value that is not provided in the form of cash.
- Loans, except amounts to which the applicant has constant or unlimited access.
- **The value of assistance to children or their families from the following programs:**
  - School Lunch Program
  - Farmer's Market Nutrition Program
  - Supplemental Nutrition Assistance Program – SNAP (previously Food Stamps)
- **Any child care payments from the following programs:**
  - At-Risk Child Care programs
  - Child Care Development Block Grant
  - Any program under Section 402 of the Social Security Act
- **Lump sum payments that represent reimbursements**, including those received from insurance companies for loss or damage of property and payments of medical bills resulting from an accident or injury.
- Payments received under the **Job Training Partnership Act** from the following programs:
  - Adult and Youth Training Programs
  - Summer Youth Employment and Training Programs
  - Dislocated Worker Programs
  - Programs for Native Americans
  - Migrant Seasonal Farm-workers Program
  - Veterans Employment Program
  - Job Corps
- Payments under the **Low Income Energy Assistance Act**, as amended.

- Any payment to volunteers under Title 1 (VISTA and others) and Title 11 (RSVP, foster grandparents, and others) of the **Domestic Volunteer Service Act** of 1973.
- Payment to volunteers under Section 8 (b)(1)(B) of the **Small Business Act** (SCORE and ACE).
- Payments under **the Disaster Relief Act** of 1974, as amended by the Disaster Relief and Emergency Assistance Amendments of 1989.
- Payments received for **Wartime Relocation of Civilians** under the Civil Liberties Act of 1988.
- Reimbursements from the **Uniform Relocation Assistance and Real Property Acquisition Policies Act** of 1970.
- Payments received under the **Old Age Assistance Claims Settlement Act**, except for per capita shares in excess of \$2000.
- Payments received under the **Judgment Award Authorization Act**, as amended.
- Payments received under the **Cranston-Gonzales National Affordable Housing Act**, unless the income of the family equals 80 percent of the median income of the area.
- Payments received under the **Housing and Community Development Act** of 1987, unless the income of the family increases at any time to not less than 50 percent of the median income of the area.
- Payments received under the **Alaska Native Claims Settlement Act**.
- Federal compensation to the following **Native American groups**:
  - Chippewa in Mississippi, in Michigan, the Red Lake Band of Chippewa (Minnesota), and the Turtle Mountain Band of Chippewa (Arizona)
  - Blackfeet, Grosventre, and Assiniboine tribes (Montana)
  - Papago (Arizona)
  - Grand River Band of Ottawa Indians
  - Yakima Indian Nation (Indian Claims Commission payments)
  - Apache Tribe of the Mescalero Reservation (Indian Claims Commission payments)
  - Navaho and Hopi Tribe (relocation assistance)
  - Saginaw Chippewa (Saginaw Indian Tribe of Michigan Distribution of Judgement payments)
  - Sac and Fox tribe (claims agreement payments)
  - Passamaquoddy Tribe and Penobscot Nation (Maine Indian Claims Settlement Act of 1980 payments)
  - Income from submarginal U.S. land held in trust for certain Indian tribes

- **Disability** insurance payments, disability court settlements and one time disability payments.

**Documentation of Income:**

1. At the certification, determine household size, and use the *Income Eligibility* screen in the WIC Information System to calculate total income. The applicant must provide documentation of income. Acceptable forms of proof of income include:
  - Pay stub
  - W-2 forms
  - Tax return
  - Written statement from the employer
2. If the information is adequate, and the applicant meets income guidelines, document sources and amount of income in the participant record.
3. Proceed with the certification.

**If documentation is not available and reported income does not exceed 185% FPG:**

1. Finish the certification using “*Pending Proof*” in the drop-down menu for the documentation of income.
2. Inform applicant that s/he has temporary eligibility for WIC and must provide the income documentation within 30 days.
3. Give the applicant a written reminder of what information is needed.
4. Provide the applicant with one month of food benefits and arrange for a visit the next month.
5. Add an alert to the participant record to ask for the income documentation at the next visit.
6. At the next visit, staff must review income documentation and make a determination of current eligibility.
  - Add documentation information to the participant record.
  - Issue food benefits as appropriate or initiate ineligibility procedures. See [Section 5.4 Notification of Ineligibility/Disqualification](#).

If the applicant has the required documentation but fails to bring it, the applicant must not be given food benefits, but told to return with the required information.

**Waiver - limited situations when a waiver may be used for lack of income documentation**

In limited circumstances, staff may determine that the applicant is in a situation in which written documents are not available. Examples might include:

- Fire

- Theft
  - Disaster
  - Migrant families
  - Homeless individual or family
  - Applicant whose spouse or partner refuses to provide income documentation
1. Complete the certification using “*Waiver Signed*” in the drop down menu for the documentation of income.
  2. Print the *Certification Notice*. Have the participant/parent/guardian sign and indicate what information s/he is unable to provide. Scan this form into the participant record.
  3. Assess the individual situation and issue the appropriate set(s) of food benefits that best meets the needs of the applicant.

### **Applicants Reporting Zero Income - Traditional Income Eligibility**

- For applicants declaring a zero income:
  - Ask probing questions about how they obtain basic living necessities such as food, shelter, medical care and clothing in a non-judgmental manner. Document the explanation for the zero income situation in a Note, using the “*Income Information*” subject heading.
  - Choose “Self Declaration” for the Proof of Income in the WIC Information System. “Self Declaration” is the only proof option that will accept a zero income amount. This proof option cannot be used for any other situation.
  - Provide referrals and assistance to the family and document the information in the participant record. Examples of questions to ask are:
    - Do you need assistance in finding a place to live, or food for your family?
    - What challenges do you have finding shelter or food?

### **Presumptive Eligibility**

Applicants may be presumptively eligible for WIC if their household income is greater than 185%, but within the income guidelines for the Minnesota Health Care Program (MHCP) (see [Exhibit 5-A](#)). Staff must see income documentation in order to determine that the applicant is presumptively eligible. **Self-declaration is not adequate.** The applicant must agree to apply for Minnesota Health Care Programs as soon as possible.

- After verifying income documentation, staff may issue up to 3 months of food benefits pending the determination of eligibility for MHCP.
- An alert and a note must be written.
- At the next visit, staff must determine current status of the MHCP application and document status in the participant record.

- If verification can be determined that the MHCP application is still pending, an additional 3 months of food benefits may be issued.
- This extension may be provided on a case-by-case basis, but may never be extended beyond the second 3-month period.

### **Waiver - limited situations when a waiver may be used for lack of documentation**

In limited circumstances, staff may determine that the applicant is in a situation in which written documents are not available. Examples might include:

- Fire
- Theft
- Disaster
- Migrant families
- Homeless individual or family
- Applicant whose spouse or partner refuses to provide documentation

1. Complete the certification using “*Waiver Signed*” in the drop down menu for the documentation of income.
2. Print the *Certification Notice*. Have the participant/parent/guardian sign and indicate what information s/he is unable to provide. Scan this form into the participant record.
3. Assess the individual situation and issue the appropriate set(s) of benefits that best meets the needs of the applicant.

### **Reassessment of Income Eligibility During the Certification:**

Participants are not required to report income changes during the certification period nor are local agency staff required to inquire about changes. However, if both the following conditions are met for an active participant, local agency staff must reassess income eligibility:

- Staff receives credible information indicating a change in the participant’s income or a change in family size that would result in that person/family no longer qualifying for WIC services.
- It is more than 90 days until the end of the certification period.

If both of these conditions are met, then staff should reassess income eligibility, including screening for adjunctive eligibility and/or traditional income eligibility. Explore all other options for participation in programs that may grant adjunctive eligibility for WIC.

- If the individual is found to be no longer eligible, s/he must be disqualified and informed of his/her ineligibility. This must be done at least 15 days before the date of termination. Staff may issue a partial food package to the date of the termination. [Section 5.4 Notification of Ineligibility/Disqualification](#).

- Participation of other active household members will be terminated if it is determined that another member of the household is no longer income-eligible for the WIC program. Staff may issue a partial food package to the date of the termination.
- **If staff determine that a participant and other active household members who are becoming ineligible should be issued food benefits, this must be done before initiating ineligibility procedures in the WIC Information System.**
- Staff must enter new information (such as new income or change in family size). A '*Notice of Ineligibility*' will be generated by the system and must be given to the participant.

Staff must document in a note the reason for reassessment and termination in the record.

### **Migrants:**

Income eligibility for in-stream migrant farmworkers must be documented only once in 12 months. The date of the last income determination is available in the WIC Information System.

*Migrant farmworker* means an individual whose principal employment is in agriculture on a seasonal basis, who has been so employed within the last 24 months, and who establishes, for the purposes of such employment, a temporary abode.

### **Guidance:**

- If income has been documented for one family member within the last 3 months, it can be used for other family members being certified within that 3-month period.
- Staff should assist applicants by suggesting ways to meet the proof of income requirement.
- Applicants do not need to be a U.S. citizen to receive WIC services and food benefits.

## 5.2.5 Physical Presence

**References:** 7CFR 246.7 (o)

**Policy:** Applicants must be physically present for the initial and subsequent certifications, except in certain limited circumstances. Local agencies should accommodate applicants/participants who are unable to come to clinic for services for health reasons (see exceptions below).

**Purpose:** To maximize benefits to participant families through full and active participation in WIC.

### **Procedures:**

- Physical presence must be documented. Staff must check the box “**Physically Present**” in the participant record.
- The physical presence requirement may be met when a certification is completed at *a site other than the regular WIC clinic* (e.g., the home, health care clinic, etc.).

### **Allowable exceptions to physical presence:**

**Illness:** If an applicant is too ill to come to clinic, his/her existence may be verified by another health professional/agency.

**Individual with disabilities:** If an applicant or parent/guardian has a disability and is unable to be physically present at clinic because of his/her disability, the individual may be certified without being physically present. His/her existence may be verified by another health professional/agency. Examples include:

- A medical condition that necessitates the use of medical equipment that is not easily transportable
- A medical condition that requires confinement to bed
- A serious illness that may be made worse by coming to the clinic

All persons with disabilities are *not* automatically exempt from the requirement to be physically present, nor does an exemption for the initial certification automatically exempt them from being physically present for the subsequent certifications.

- If the participant applies for re-certification, the circumstances of exception *must be reassessed*.

- In the case of long-term or permanent disability or medical condition, an extended exemption to the physical presence requirement may be allowed.

**Receiving ongoing health care:** An infant or child who has documented ongoing health care from a provider other than WIC would not have to be physically present for a re-certification if being physically present would pose an unreasonable barrier to participation.

**Working parents or caretakers:** WIC staff should work with parents and caretakers to arrange an appointment that will work for the family, whenever possible. However, a child under the care of a working parent whose work condition poses a barrier to bringing the child to clinic, would not have to be physically present for a re-certification if he/she were present at the initial certification and had been present at a WIC contact, at a minimum, once during the prior year. Note: High risk follow-up may necessitate being seen more often than once annually. See [Section 6.6, High Risk Individual Nutrition Care Plans](#).

**If the applicant is not physically present:**

- Proof of identity, income, and residency is still required.
- A reason for the exception to being physically present must be documented in the participant record.
- Referral data may be used for height/length, weight, and/or hemoglobin. This information could be obtained during a home visit or from another health professional/agency, if measurements meet the timing requirements specified in [Sections 5.3.2.2 \(for hematologic data\)](#) and [5.3.1.1 \(for height/length and weight\)](#).

**Guidance:**

- Participants will receive the greatest benefit from WIC through full and active participation.
  - Agencies should schedule clinic hours to accommodate families whenever possible.
- In the event of a participant's illness, it may be preferable to reschedule the participant's appointment if s/he is unable to keep his/her appointment due to an acute illness.
- When a participant is certified at a site other than the WIC clinic, document the location of the certification in Notes.