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CECS Appendices

Appendix A: Guam WIC Risk Criteria Definitions Manual

Appendix B: Risk Code Manual & Counseling Guide

Appendix C: Income Eligibility Guidelines July 1, 202⁴to June 30, 202⁵

Appendix D: Chapter 2 – Certification (Arizona)

Appendix E: HANDS Workbook

Appendix F: Guam WIC Paraprofessional Training manual

Appendix G: Clinic Staff Outline of online Training Modules/Resources

Appendix H: WIC clinic procedure flow charts

Appendix I: Separation of Duties procedures

Appendix J: Biochemical Data Collection Chart



VIII. CERTIFICATION OVERVIEW

Policy: The Application process

Individuals applying for participation in the Guam WIC Program will be screened, using procedures outlined in this functional area, to determine eligibility before they can be certified to participate.

1. CERTIFICATION GUIDELINES

Initial Request for WIC Services and Appointment:

When a WIC applicant requests an appointment, the Local Agency will document the following:

- Method(s) of contact made to request service
- Information regarding how the applicant can be contacted (address & phone number, etc.)
- The date the applicant first requested services in person at a WIC clinic.

Note- if the applicant contacts WIC by phone, do not count that as the application date.

The date of application is the day the applicant is in a WIC clinic and requests to apply.

- The date of the appointment for certification
- All rescheduling of failed first Certification appointment(s) must also be recorded

2. APPLICATION PROCESS AND APPOINTMENTS:

APPOINTMENTS and APPOINTMENT CARDS

1. Nutrition Assistants and Community Nutritionists who make follow up appointments will give each WIC authorized rep. a “next appointment” card. (“Next Appointment Card” will be back to back with the “Client data Collection form” – Pending final form)

- a. Clinic staff who make initial or reschedule WIC appointments will give each WIC authorized rep. an “Next Appointment Card” whenever possible.

Local Clinics will develop appointment reminder and follow-up procedures to contact all applicants and WIC participants who have appointments.

Procedures for appointment reminders will include:

- A reminder communication the 1-2 days before the appointment
- Communications may be by email, text messaging, phone, or any other communication device approved of by the WIC client.

Procedures for documentation of follow up within one week of missed appointments will include:



- Method(s) of communication for the follow up contact
- Information regarding why the appointment was missed

The WIC participant or applicant should be initially advised that WIC will accept walk-ins and the best times to come in (i.e. advise them of the office hours for WIC clinics, including any Saturday's WIC might be open. This option must be offered in order to avoid obligating an additional time slot that another WIC applicant or WIC participant could use. The WIC participant or applicant should then be advised that they can reschedule the appointment if preferable.

In the event that the clinic staff are not able to follow up on all applicants who miss their first appointment, regulation 246.7(b)(5) requires each local agency to attempt to contact (at least) each pregnant woman who misses her first appointment in order to reschedule the appointment.

If contact is still unsuccessful, the responsibility for requesting a new appointment for enrolling in the WIC program defaults to the WIC participant. The WIC applicant's initial request date will then be adjusted to coincide with the new appointment date.

Eligibility Determination

The Local Agency staff determines if the applicant meets each of the following eligibility criteria:

- Residence
- Income
- Category
- Nutrition Risk

All participants will be screened and certified using the Health And Nutrition Delivery System (HANDS) automated system.

Within 10 Days

Priority I pregnant women, infants under six (6) months of age, homeless, and migrants will be notified of their eligibility, ineligibility, or placement on a waiting list within ten (10) calendar days of the date of request for WIC services (see Appendix A for Waiting List Notification form).

Within 20 Days

All other applicants requesting WIC services will be notified of their eligibility or ineligibility or placement on a waiting list within twenty (20) calendar days from the date of request for WIC services.



Extension of Timetable

An extension to a maximum of fifteen (15) calendar days for notifying Priority I pregnant women, infants under six (6) months of age, homeless, and migrants may be granted by the State to Local Agencies.

A written request justifying the extension must be received by the State Agency and written approval must be given to the Local Agency prior to implementation.

Local Clinic Responsibility

Local Clinics will develop follow-up procedures to contact all applicants who miss their appointment.

Procedures will include:

- Methods of contact
- Information to be collected
- The date the applicant requests services
- The rescheduling of failed Certification appointments

Time frames for completing the Certification process, as specified above, begin when the applicant appears in person at the Local Clinic and requests WIC services. Local Clinic will maintain documentation of the date the initial request for services was made and will enter the required information in the HANDS system's precertification form.

WIC staff will inform the applicant of their option to name one (1) Authorized Representative and that he/she must be present at the Certification appointment. WIC staff will also inform the applicant of the option to name a Secondary Authorized Rep (SAR). The SAR can essentially serve in a role similar to the primary Authorized Rep but needs permission to do so from the applicant or the primary Authorized Rep.

Applicants failing to provide verification of eligibility data within the established time frame will be denied participation in the program. They may reapply and this will be treated as a new certification and not as a continuation of the denied application.

Components of a Certification

(Also see Separation of Duties procedures which are to be observed during the certification processing. Appendix II – CE Separation of Duties)

The following are components of a Certification:

- Rights & Obligations form (see Appendix B)
- Physical Presence / Identification
- Residency Verification
- Racial / Ethnic Data



VIII. CERTIFICATION, ELIGIBILITY & COORDINATION OF SERVICES

- Income Determination
- Categorical Eligibility
- Health Assessment
- Dietary Assessment
- Risk Identification
- Referrals and Education
- Food Package
- WIC Rules and Regulations

Food Instrument Issuance

Local agency staff must negotiate and tailor the food package based on risks, nutritional needs and participant preference. Participants will be issued the appropriate Food package at the time of Certification.

Documentation Provided

The Rights & Obligations form explains the necessity of data collection for determination of WIC eligibility including:

- Applicant's name
- Applicant's identification number
- Applicant's address, identification, and income
- Certification period dates

The Rights & Obligations form gives WIC the permission to perform the tests necessary for program Certification and to provide breastfeeding education.

The Rights & Obligations form also verifies the above data through sworn statements signed by the participant or participant's Authorized Representative and the certifier (including printed name and title).

The form explains the participant's rights, including appeal rights. The participant signs the document after it is read by or to the applicant. The completed form is to be kept in the agency's daily file or participant's file. (See sample form in Appendix- CECS).

Guam WIC Program's old ID/VOC Card no longer used

The Guam WIC Program Identification ID / VOC Card previously issued to WIC participants is no longer required for obtaining WIC services or redemption of WIC benefits. The **ID card** format has been modified and retained for the benefit of clinic staff who have requested it as a tool to be used to save time when clients do not have a picture ID and their file needs to be looked up in the computer. However, verification of client ID must be provided through a verbal process of answering key questions about their participation in the WIC program.

VOC documents will be printed through HANDS at the request of the WIC Authorized Representative or WIC SAR for the Authorized Representative on file.



ID AND PROXY CARDS

1. OLD WIC ID and PROXY cards will no longer be used in Guam.

- a. Authorized representatives (i.e. either the WIC authorized representative or the secondary WIC authorized representative) will need to show a picture ID in order to transact WIC business/services at WIC sites.
 - 1) If a picture ID is not available during office visits and for WIC transactions that are done over the phone, the authorized rep. identification can be obtained by asking key questions about their name, address, phone number, and date of birth with 100% accuracy. The WIC Authorized representative should also be asked about their children's birthdates.
 - 2) WIC clients do not need to show ID at the store. They only need to use their eWIC (EBT) card which requires a PIN number in order to proceed with food benefit redemption from the WIC vendor.
 - 3) When a WIC authorized rep. cannot come to the WIC site to transact WIC business/services for participants, they may ask the secondary authorized rep to visit the WIC clinic to receive or transact WIC benefits. The SAR will need to be approved by the applicant either during the certification or at a later time. The SAR will need to provide picture ID in order to proceed in the authorized representative's behalf.
 - i. Designation of a third party by the WIC authorized rep. may also be done over the phone by adequately identifying her/himself.

WIC sites should have a process where clients check in at the reception desk, indicate their time of arrival and whether they are for an individual nutrition education appointment, group nutrition education appointment, or a certification visit.

- b. The secondary WIC authorize representative during certifications cannot get an eWIC card.
 - 1) An exception may be made when the WIC authorized representative who cannot go to a WIC office due to medical reasons. A change of WIC authorized representative form can be completed by the designated new authorized representative and submitted to WIC clinic staff. The Primary WIC authorized representative will also ~~and~~ write a note naming the person chosen to act as their substitute. The temporary substitute will then need to show a picture ID. The note will be scanned into HANDS.
 - 2) Alternately the WIC authorized representative may request that a WIC staff person make a home visit in order to do the certification and issue an eWIC card.
- c. See WIC Authorized Representative procedures for the role of proxies (pages 48 - 49)



Certification Periods

The WIC Program services are based on the following Periods Certification timeframes:

Pregnant Women

Certification will be valid up to six (6) weeks postpartum.

All documentation that includes the date when the Certification ends must read “up to six (6) weeks postpartum.”

A pregnant woman enrolled in WIC who has had an abortion, spontaneous (miscarriage) or therapeutic, is eligible to receive benefits up to six (6) weeks past the date the pregnancy ended and can continue up to six (6) months postpartum.

A pregnant woman that would have been eligible for the program during her pregnancy, who has had an abortion, spontaneous (miscarriage) or therapeutic, can also apply for benefits. She is eligible for a total of six (6) months of benefits from the date the pregnancy ended.

Postpartum Women

A postpartum woman is certified according to the following criteria:

- A non-breastfeeding woman is certified as a postpartum woman from the time the pregnancy ends until six (6) months postpartum.
- A breastfeeding woman's Certification is valid up to the last day of the month in which her infant turns 1 year old, or until the woman ceases breastfeeding, whichever occurs first.
- If a woman ceases to breastfeed prior to six (6) months postpartum and breastfeeding is her only risk, she needs to have her category changed to a postpartum woman and be reassessed to identify a risk.

~~The Guam WIC Program VOC Card (see Appendix) for fully breast feeding women will indicate the Date that the Certification Expires assuming that she does not stop breast feeding. If she does stop breast feeding (and she is past 6 months post partum), the text “stopped breast feeding” will be written across the participant’s box on the ID card to indicate that she is no longer eligible for WIC participation. A diagonal line will also be drawn through the participant’s box on the ID card.~~

The WIC Program services are based on the following Periods Certification timeframes:

Infant Less Than Six Months Old

An infant under six (6) months of age at the time of Certification is enrolled until their first birthday if they meet Priority I, II or IV criteria.

Local clinic must evaluate the health status of all infants who are six (6) months of age. The six (6) month evaluation does not affect the ending Certification date, which is the infant's first birthday.

Infant More Than Six Months Old



An infant more than six (6) months of age at the time of Certification is enrolled for six (6) months from the day of Certification if Priority I or IV.

Infants who are six (6) months or older may not be certified as Priority II participants.

Changing a Birth Date in the HANDS System

When the birth date of a participant is entered incorrectly in HANDS, **DO NOT** create a new identification number for the participant. Creating a new record for the same participant will affect many reports and compromises the integrity of our computer system.

A. When the error is discovered on the same day that the Certification was completed, please follow these steps:

1. During Certification, verify and/or change the client's birth date **before** going to the Cert Action Screen to avoid future problems in HANDS.
2. When completing a new Certification for a client that has been on the program and their birth date was originally entered incorrectly, the user can delete the new Certification (Red X) in the Cert Action Screen **IF no other data has been entered on the Medical or Health Screen for the new Certification**. Then, the user can return to the Client Registration screen, change the birth date, and continue with the Certification process.
3. If the user has already completed the Medical and Health screens before finding that the birth date is incorrect, the current Certification can be terminated, the birth date can be changed, and the new information saved.
4. After changing the birth date, the user can reverse the termination and save it.
5. The user can then return to the Cert Action screen and do the following:
 - a) Click in the Category field.
 - b) Delete the incorrect category number.
 - c) Type in (or choose) the new category number
 - d) Tab thru to the Cert End Date field.
 - e) Click on **SAVE** and the Cert End Date will fill in when the user clicks OK in the "Transaction Completed" pop-up.
6. Changing the birth date is much easier if it is done before the user gets to the Cert Action screen.

The birth date can be changed **on the day of Certification** using the above directions if the user has already completed the Cert Action and/or Medical/Health screens.

B. Once End of Day (EOD) has been run, the system will not allow the birth date to be changed without first terminating the current Certification. Changing the birth date can cause changes in client Category, length of Certification, nutrition risks, and other factors affected by age.



In order to change a birth date after EOD, the user is required to:

1. Terminate the current Certification of the participant whose birth date is incorrect.
2. Correct the birth date.
3. Complete a new Certification with the new birth date.

The WIC Program services are based on the following Period Certification time frames:

Child

Children are certified for 12 month periods, ending with the end of the month in which the child reaches five (5) years of age.

A Twelve month certification period requires that a mid-certification assessment be conducted approximately six months into the certification period. Due consideration is given to the participant's transportation concerns and should not become a barrier to continued participation in the WIC program. The following areas should be assessed:

- Current height and weight
- Evaluation of the need for a follow up hemoglobin or hematocrit test
- A diet assessment to determine progress made and/or new issues found
- Assessment for identification of whether or not there are any new risk codes
- Update client file notes accordingly to reflect the client's current health and nutrition status and referral and/or nutrition education needs found (ensure that two education encounters are offered every 6 months).

Note: If a children are still in a valid Certification period (has not yet received six (6) food packages in the current Certification period) in the month they turn five (5), a food package may be issued, even if the pick-up is after the birthday.

Example

12 month Certification periods

Certification begins in:	Certification ends in:
January	December
February	January
March	February
April	March
May	April
June	May
July	June
August	July
September	August
October	September



November	October
December	November

The WIC Program services are based on the following Period Certification time frames:

Special Conditions

The Certification period may be adjusted from the original ending Certification date for several reasons. It can be shortened as much as needed or may be extended by thirty (30) days. It is preferred that Certification periods be shortened rather than lengthened; this is done primarily to coordinate the appointment schedule within a family unit. Other reasons for adjusting Certification end dates include:

- Difficulty in appointment scheduling or getting to the clinic for Certification due to extreme hardship, i.e., illness, imminent childbirth, inclement weather conditions, distance to travel, high cost of travel, or documented physical disability that prevents travel
- When a medical case conference is required to determine a participant's nutritional or medical status

If the participant is found eligible to continue receiving program services, the new Certification period begins on the date the participant is certified again and receives the first set of Food packages in the new Certification period.

Women's Nutrition Risk Determination

All data used to determine nutritional risk will be reflective of the woman's categorical status at the time of Certification. For example, a woman certified during pregnancy as at risk for anemia cannot be certified in the postpartum period using any hemoglobin or hematocrit value that was obtained during her pregnancy.

3. PRESENCE POLICY

Policy:

Applicants to the WIC program are required to be physically present at the time of WIC Certification. If they are not, they must be rescheduled for a time when they can be present.

Additionally, infants are to be brought to their mid-Certification health check appointment; however, if they are not present, the Authorized Representative is to be issued one (1) month of Food benefits and rescheduled for the next month, when the infant must be present.

*(see below for additional guidance on **ARPA Physical Presence Waiver and Remote Benefits Issuance Policy and Procedures**)

Physical Presence

Exceptions may be made for persons with permanent or temporary disabilities that make it difficult to attend the WIC Certification appointment. These include, but are not limited to, the following exceptions:



- Exception 1 - A condition that requires medical equipment that is not easily transportable.
- Exception 2 - A medical condition that requires confinement to bed (including bedrest).
- Exception 3 - A serious illness that may be worsened by coming to the clinic.
- Exception 4 - A serious or contagious illness.

Documentation of Exceptions

The Local Agencies must receive documentation from a Medical or Osteopathic Physician (MD or DO), Nurse Practitioner (NP) or Physician's Assistant (PA). Documentation should include date, diagnosis, reason for inability to come to the clinic and the length of time they are unable to come to the clinic. This will be noted in the HANDS system in the Notes section of the Family screen.

In the case of a pregnant woman on bed-rest prior to Certification, she may send someone to the clinic to serve as her Authorized Representative. This person must bring written documentation of her condition from one of the above-listed sources, the woman's proof of income, residency, and identity; they will sign the Rights and Obligations form on her behalf and receive education on how to participate in the WIC program.

Further clarification: if the woman is put on bed-rest during her Certification period, a second Authorized Representative may be appointed by the primary authorized representative. The secondary authorized representative must bring in the pregnant primary authorized representative's current weight to each WIC nutrition education clinic visit.

Certification of Women and Children in the Hospital

Local Agencies are encouraged to work closely with hospitals to enroll participants as soon as possible following delivery. However, food packages are not to be issued to participants for use in the hospital, since it is the responsibility of the medical insurance to provide food to the participant while in the hospital.

*Physical Presence Waiver and Remote Benefits Issuances

PURPOSE

To establish guidelines in the provision of remote WIC Certification, Nutrition Education, and Issuance of Benefits.

POLICY

1. The Guam WIC Program shall opt into waivers to modernize WIC through enhancing remote services under the authority of The American Rescue Plan Act (ARPA) of 2021. The Guam WIC Program shall elect to use the following waivers:
 - a. Physical Presence Waiver
 - b. Remote Benefit Issuance Waiver
2. Pursuant to Section 1106 of ARPA, the Guam WIC Program will waive the requirements for participants to be physically present for certification, recertification, and benefit issuance appointments. While these two waivers are in effect, the Guam WIC Program will offer remote certification and recertification appointments and will allow remote benefit issuance as



appropriate in all of its clinics. These waivers will remain in effect until September 30, 2026, unless superseded by statute or USDA FNS determines

- 3.
4. the waivers are no longer necessary or appropriate.
 - a. All clinic staff are required to offer all individuals seeking to enroll or re-enroll in WIC an option to have their appointments conducted in person or remotely.
5. Guam WIC shall grant a temporary 30-day certification to applicants who are missing one of the three required documents to determine eligibility pursuant to WIC Policy Memorandum #2023-6: Streamlining Certification-Documentation Guidance,
 - a. Proof of identity, residency, or income may be deferred up to 30 days from certification. Applicants who are missing one of these required proofs may receive a one-time temporary certification for 30 days and be issued 1 month of benefits.
 - b. Participants with pending one document proof of eligibility shall have their next appointment scheduled before the expiration of the deferral days of the missing proof of eligibility.
 - c. Participants with pending proof of eligibility requirements may provide the missing documentation via electronic submission (e.g. email, Fax, and participant portal) or mail within 30 days of their next appointment.
 - d. Participants certified using a temporary certification may not receive a consecutive, subsequent temporary certification (i.e., two "back-to-back" temporary certifications that would equate to 60 days of continuous temporary certification).
 - e. Applicants who are missing two or more proofs should be rescheduled for a later date when they have the required proofs available.
6. In accordance with the ARPA Physical Presence Waiver, anthropometric measurements and hematologic tests for anemia may be deferred for 60 days. In addition, under 7 CFR 246.7(e)(1)(ii)(B)(1), participants who have another qualifying nutrition risk identified, a hematologic test for anemia (Hgb/Hct test) may be deferred for up to 90 days from the time of certification without change in the participant's category (*refer to hematologic testing policy*).
 - a. A nutrition risk assessment must be completed at certification by a Competent Professional Authority (CPA) which may be based on information available through online communication and/or referral data.
 - b. The next appointment schedule will be determined based on the participant's risk code certification provided no documents or anthropometric measurements and/or blood work data are pending (*Refer to II Section II Policies and Procedures Manual Nutrition Services FY2024 Pages 10-13*).
 - c. Participants with pending certification eligibility documents (identity, residency, or income), anthropometric measurements, and/or blood level data shall have their next appointment scheduled before the expiration of the deferral days of the missing information (*refer to Job Aid Scheduling of Participant's Next Appointment*).
 - d. The front desk staff shall make the effort to obtain pending anthropometric data within 60 days from certification and blood work data before the end of 90 days of certification.



- e. The CPA shall ask the participant to provide consent to release information if anthropometric measurement and blood work data will be requested from a primary care provider.
 - f. Nutrition education and referrals will still be provided remotely as appropriate.
7. Participants who provide the anthropometric measurements and hemoglobin/hematocrit (Hgb/Hct) levels after the initial certification triggering medium or high-risk code will have their next appointment adjusted according to the risk code protocol (*Refer to II Section II Policies and Procedures Manual Nutrition Services FY2024 Pages 10-13*).
8. Remote Certification, Recertification, and individualized Nutrition Education services shall be conducted using either landlines, cell phones, Zoom, or WhatsApp platform following the same process as in-person services.
- a. Clinic Receptionist and Non-CPA staff will conduct Phase 1 of the certification process—determining the applicant's adjunct income eligibility first before conducting a traditional income eligibility screening followed by checking proofs of identity, and residency.
 - b. CPA conducts same-day Phase II certification process performing nutrition risk assessments, nutrition education, referrals, food tailoring, and benefit issuance.

DEFINITION

Authorized Representative (AR): The individual designated by the participant and/or mother/legal guardian of the infant and child to act on their behalf. The AR can be a caretaker, a relative with whom the participant lives, a spouse, or significant other.

PROCEDURE

A. Appointment Reminder Calls

- a. Receptionist/WIC staff check the scheduler in HANDS then call, text message, or email participants 1-2 business days before their next scheduled appointment. Reminder calls shall include the following:
 - i. What type of WIC appointment is coming up.
 - ii. Offer the option to have WIC appointments conducted in-person or remotely.
 - iii. What documents are needed (identity, residency, and /or income)
 - iv. What data are needed such as anthropometric measurements and hemoglobin/hematocrit.
 - v. Email a copy of the Rights and Obligation Form to the participant or Authorized Representative if email was provided.
 - vi. Remind the participant to email back (guamwic@dphss.guam.gov), fax (671)-477-7949 Tiyan, (671)-635-7476 Dededo, and (671) 565-3539 Santa Rita, or upload via the participant portal(<https://www.myguamwic.com/en/>) the required documents needed for certifications prior to the scheduled appointment. These documents include:
 - 1. Proofs of identification, residency, and income (either proof of current enrollment in Medicaid, SNAP, or TANF or recent pay stubs).



2. Anthropometric measurements taken within the past 60 days, and blood work data within the past 12 months without a change in participant category (see Procedure A.12.iii).
3. Proof of legal guardianship, if applicable.
4. Foster care placement letter and/or foster payments, if applicable.
5. Signed Rights and Obligations form.
 - a. Signed Rights and Obligation form shall be placed in a digital central file once received.
 - b. Staff shall note down in HANDS NOTES Tab that client's signed Rights and Obligations form has been received.
- b. Receptionist/WIC staff shall document in HANDS under the NOTES tab, choose "staff alert" drop down option in the Note Type Field. Note down whether client was reached or not and document the information that was conveyed and received.

B. Phase I Remote Certification

- a. Reception/WIC staff conducting phase 1 certification verify the identity of the Participant and/or Authorized Representative (AR) over the phone by asking the following:
 - i. Birthdate of the participant and/or the AR.
 - ii. Physical address or mailing address of the participant and/or AR.
- b. Ask the applicant/ participant if they are currently enrolled in SNAP, Medicaid, or TANF, and obtain their information. Verify their status for adjunct eligibility using the DPHSS PHPro system. This should be done before checking for other proofs of income such as check stubs etc.
 - i. If adjunct income eligibility is verified in the PHPro system of Medicaid, the income amount in HANDS is filled in based on a verbal account from the client.
- c. Review proof of identity, residency, and income documents if available (Refer to Documentation of Identity, pages 16-17 II.VIII. CEC Policies and Procedures Certification, Eligibility, Coordination of Services FY 2024).
- d. Complete the proof of identity and residency fields in the **Family and Participant Module of HANDS respectively**. If documentation for proof of identity and/or proof of address is not available, select "V- Forgot Documentation" under the respective fields.
- e. If one of the required documents is not available at the time of certification, inform the participant and/or AR that missing documents must be submitted within 30 calendar days from certification to avoid termination except in certain circumstances; (Refer to Applicants with No Proof of Identity page 17, Applicants with No Proof of Residency Page 18, II.VIII. CEC
- f. Policies and Procedures Certification, Eligibility, Coordination of Services FY 2024).
 - i. Proof of residency does not exist due to homelessness, disaster evacuees, victim of theft, loss or disaster.
 - ii. Currently not working and/or has zero income.
- g. If proof of identity and or residency does not exist select "proof does not exist" in the proof of identity and address field option.



- h. Verify applicant/participant's income documents if not adjunctively eligible (Refer to Income Eligibility Pages 21- 37, Ineligibility Pages 54-55 II.VIII. CEC Policies and Procedures Certification, Eligibility, Coordination of Services FY 2024).
 - i. Determine the total number of people in the household and compare with the current Income Eligibility Guidelines.
 - 1. If the applicant or participant's income is ineligible and they are pregnant, ask if they want to include their unborn embryo(s) or fetus(es) as part of their household size and re-evaluate the new and household size against the current Income Eligibility Guidelines.
 - ii. If the applicant or participant is income ineligible, explain reason and right to fair hearing procedures over the phone.
 - 1. Staff completes and sign the Notification of Ineligibility Form (see attachment) and write remote certification on client signature space.
 - 2. Clinic supervisor reviews and initials off Notification of Ineligibility Form.
 - 3. Ineligibility notice and fair hearing procedures will be emailed or sent via mail (if email not available) to Authorized Representative.
 - 4. File a copy Ineligibility Form into ineligibility folder.
 - 5. Document under Notes Type as a Staff Alert that ineligibility notice and fair hearing procedures have been emailed or mailed to the Authorized Representative.
 - iii. Advise participant/AR to reapply when there is a change in their household income or household size.
- i. Complete the income module in HANDS.
 - i. If proof of income does not exist, under Income Module, click on the Documentations tab and select "20: Waiver Form proof does not exist."
 - ii. For participants that claim to have no source of income or zero income.
 - 1. Checkmark **Yes** at the Zero Income field.
- j. Discuss Participant Rights and Obligations, and WIC Rules and Regulations with the participant or AR. (Refer to WIC Rights and Obligations, Pages 48-49 and 67-69, Rules and Regulations Pages 49-50 II. VIII. CEC Policies and Procedures Certification, Eligibility, Coordination of Services FY 2024).
 - i. Read the Rights and Obligations aloud to the participant.
 - ii. Inform the participant/AR that the Rights and Obligations document can be emailed to them, viewed online at: <http://dphss.guam.gov/woman-infants-infants-wic-program/>, or picked up at the WIC clinic.
 - iii. Once the Rights and Obligations are provided, obtain the participant's verbal consent to the Rights and Obligations. Then click "Signature Type" and select "Rights & Obligations." Write "**Remote Cert**" in the Rights and Obligations signature box.
- k. Check anthropometric and blood work data and provide a copy to the CPA for Phase II of the certification process.
- l. If anthropometric measurement and blood work data are *not available*, instruct participants or AR to do the following:



- i. Provide the most recent height and weight taken within 60 days and/or blood work data taken within 12 months without a change in category if such data record is available from their primary care provider (*refer to the Biochemical Data Collection Chart attached*, or
 - ii. Request participant to come to the WIC clinic anytime as a walk-in during office hours or on their next scheduled appointment to have their anthropometrics and blood work taken, or
 - iii. Request the participant to provide consent to the medical provider to release blood work data and anthropometric measurement information to the WIC program if available. Staff shall do one of the following: 1) Email the participant/AR "Request For Data Consent Form", 2) Direct the participant to download the form from the website: <http://dphss.guam.gov/woman-infants-infants-wic-program/>, or 3) Direct the participant to pick up the consent form at any WIC clinic location (Refer to Release of Information Pages 53-54, II. VIII.CECS Policies and Procedures Certification, Eligibility, Coordination of Services FY2024)
 - m. Issuance of eWIC card
 - i. Instruct the participant or Authorized Representative to come into the clinic any time during hours of operation to receive, sign for, and set PIN for eWIC card.
 - ii. Verify Authorized Representative's identity before issuance of EWIC card
 - iii. Provide eWIC card information handout and educate on its usage and care when participant/AR comes in to receive the eWIC card.
 - n. Encourage AR to download EZWIC app and provide instructions on how to set up and use the EZWIC app.
 - o. The receptionist shall endorse the participant/AR to the assigned CPA for phase II certification.
 - p. Delete or shred all certification eligibility documents (income, residency, identity) once the information has been inputted into the clients file in HANDS.
- C. Phase II Remote Certification is done by the CPA
 - a. CPA will call the AR and verify identity over the phone by asking any of the questions. (see procedure B.1.)
 - b. In HANDS, complete the required fields under Cert Tab. Checkmark "Client Not Present" and select "**H-Physical Presence Waiver**" **under reason client not present field.**
 - c. Complete the required fields in the Medical Tab;
 - i. Input anthropometrics and blood level data if available.
 - ii. If anthropometrics and/or blood level data are not available at the time of certification, select pending code 11. Physical Presence Waived at Certification.
 - d. Complete the health and dietary assessment. (Refer to II. VIII. CEC Policies and Procedures Certification, Eligibility, Coordination of Services FY2024 pages 42-43)



- e. Determine and document nutrition risk. (Refer to Risk Identification Page 44, II.VIII. CEC Policies and procedures Certification, Eligibility, Coordination of Services FY2024)
- f. Provide nutrition education. (Refer to Education Page 49. II. VIII. CEC Policies and Procedures Certification, Eligibility, Coordination of Services FY2024)
- g. Document the type of Nutrition Discussion in Care Plan
 - i. Select Certification Remote.
- h. Provide referrals applicable to the participant's identified needs. (Refer to Referrals Pages 50-53, II.VIII. CEC Policies and procedures Certification, Eligibility, Coordination of Services State Plan FY2024)
- i. Prescribe food benefits (Refer to Food Instrument Issuance Page 5, II.VIII. CEC Policies and procedures Certification, Eligibility, Coordination of Services State Plan FY2024)
- j. Issue benefits remotely and schedule the participant's next appointment based on the following scenarios:
 - i. Pending 1 eligibility documents such as proof of identity, residency, or income shall only be issued one-time 1-month benefits.
 - ii. Pending anthropometrics shall be issued benefits up to 2 months following the 60-day deferral.
 - iii. Pending bloodwork shall be issued up to 3 months following the 90-day deferral,
 - iv. Participants with pending documents, and/or anthropometric measurements, and/or blood work, shall follow the lowest number of month issuance if participant have multiple scenarios applicable to them. (*refer to Job Aide Scheduling of Participant's Next Appointment*)
 - v. For participants with no pending documents/data the next appointment schedule will be based on the participant's risk level at certification (Refer to II Section II Policies and Procedures Manual Nutrition Services FY2024 Pages 10-13).
- k. Document SOAP note. (Refer to Documentation of Education Page 14, II.II. NS Policies and Procedures Manual Nutrition Services State Plan FY2024)
 - i. Document in HANDS "**physical presence waiver**" followed by SOAP notation.
 - ii. Pending documents and data are to be documented in P of SOAP note for a follow-up.

D. All Other Appointments for Remote Benefits Issuance

- a. WIC staff shall call participants who miss their appointment to offer remote services or rescheduling.
 - i. Participants who cannot be reached after two attempts shall have their benefits issued and their next appointment scheduled. (refer to Issuance of Benefits Policy)
- b. For anthropometrics and blood work that are still pending after initial certification, select pending code 6 ht/wt pending doc for Anthropometrics and pending code 7 hgb/hct pending doc for bloodwork.
- c. Provide nutrition education applicable to the participant.

**VIII. CERTIFICATION, ELIGIBILITY & COORDINATION OF SERVICES**

- d. Document type of Nutrition Discussion in Care Plan
 - i. Select Group Discussion Remote
 - ii. Select High Risk Remote
 - iii. Select Medium Risk Remote
 - iv. Select Midcertification Remote
 - v. Select Nutrition Education Remote
 - vi. Select Missed Appointment Benefits Issued
- e. Issue benefits remotely and schedule next appointment.
- f. Document in HANDS **“remote benefits issuance”** followed by the SOAP note.

Documentation of Identity

All applicants must present proof of identification at Certification to verify identity in order to receive a WIC EBT card. The WIC participant must also present proof of identity before receiving WIC services after being certified such as for nutrition education services, and to have the food instrument (EBT card) reloaded. Documentation types used by WIC applicants at certification for verification of identity are found on the Client Registration screen of the HANDS system. Any clarifications such as for “H – Clinic/Hospital record or ID (infants only)” or “V – Forgot Document (HANDS will allow 30 days to verify ID)” or “R – Health Benefits/Social Service card or letter (only if the program verifies ID)” or “Immigration or naturalization record” or “G – Military records/ID card or Discharge papers” or “U – Other” or “J – Refugee Settlement papers” or “N – WIC ID folder (card in Guam)” must be made in the client’s notes. A complete list of ID verification documents used during certifications follows:

- I - Baptismal Certificate (infants only)
- D – Birth Certificate (infants only)
- H – Clinic/Hospital record or ID (infants only)
- F – Crib Card (infants only)
- C – Driver’s License /State ID
- V – Forgot Document (HANDS will allow 30 days to verify ID)
- R – Health Benefits/Social Service card or letter (only if the program verifies ID)
- K – Immigration or Naturalization record
- T – Immunization Record (only if the program verifies ID)
- E – Marriage License
- G – Military Records/ID card or Discharge papers
- U – Other (only if the “other” verifies ID)
- L – Passport/Visa
- B – Pay Stubs
- J – Refugee Settlement papers
- M – School Photo ID
- A – Valid Medicaid Card/letter
- N – WIC ID folder (infants of WIC mothers/subsequent certs)
- Q – Work ID

Note: Social Security numbers must not to be entered in HANDS, or on the ID Card or



maintained in client files.

All applicants must present proof of identification at Certification and food instrument pick-up appointments. Documentation types are found on the Client Registration screen of the HANDS system.

Initial Certification – Women

Optimal documentation for a woman would be photo identification such as:

- Current passport
- Driver's license
- State issued identification card
- Work identification card
- School identification card

Other documentation for a woman would be:

- Social services program card
- Valid Medicaid document
- Pay stub
- Laser Visa

Initial Certification – Infant/Child

Acceptable documentation for an infant or child would be:

- Birth certificate
- Crib card or hospital record
- Immunization record

During the certification period, the authorized representative will need to show their picture ID in order to receive services at WIC sites for certified WIC participants.

Applicants with No Proof of Identity

When an applicant has proof of identification but did not bring it to the Certification appointment, they are to complete and sign the top of the Guam WIC Program Documentation of Waiver Form declaring his/her identity. They are to be issued one (1) month of Food Instruments and must bring proof of identification to the clinic within thirty (30) days.

When an applicant has no proof of identification as a result of being a victim of theft, loss, or disaster, the applicant must complete and sign the bottom of the Guam WIC Program Documentation of Waiver Form declaring his/her identity (see Appendix E). They can be issued more than one (1) month of Food Instruments. This Waiver Form is to be kept in the agency's daily file.



4. RESIDENCY

All applicants are required to provide proof of residency within the Territory of Guam. This is the location or address where they routinely live or spend the night.

Territory of Guam Services Area

Participants will have the right to select a clinic within Guam based on service and convenience in relation to residence, work, and where they receive their healthcare. Participants are not required to live in a specific geographic area, but they must reside in Guam.

Documentation of Residency

Documentation of residency is required at each Certification.

- The location of residency should be a house number and not a PO box number.
- Proof for residency could include a rent receipt, a utility bill or a document from a business or government agency that confirms residency.
- A PO Box on a driver license is valid as proof of residency in Guam **only** if the license was issued after June 24, 2018 and contains the “Real ID” emblem from the Department of Motor Vehicles. If the drivers license is issued after June 24, 2018 but does not have the Real ID emblem, WIC cannot use it to confirm residence.
- A Guam ID card issued after June 24, 2018 and contains the “Real ID” emblem is valid as proof of residency with either a home address or PO Box address.

Verification of a Guam address for proof of residency is accomplished by viewing one of the following documents and indicated in the HANDS application:

- 1 - Current piece of business mail (utility bill or cable bill)
- 5 - Driver’s license (issued after June 24, 2018 with the “Real ID” emblem) with either a home address or PO Box address.
- 12 – Forgot documentation (HANDS gives 30 days to show documentation)
- 8 – Letter from owner that person resides within their home
- 10 - Mail with postmark (no PO Box)
- 11 – Other (such as a drawn map to location of residence)
- 6 – Pay stubs with current address, not a PO box
- 3 – Rent or mortgage receipts for lodging or housing
- 7 – Shelter letter on letterhead
- 4 – State/Local document that can only be obtained through proof of address such as a Mayor’s certification for residency or an approval letter from SNAP.

The type of documentation is recorded on the Family screen of the HANDS system.

Applicants with No Proof of Residency

When an applicant **has proof** of residency, but did not bring it to the Certification appointment, the certifier will indicate the deficiency in the WIC automated system. The client is to be issued one (1) month of Food Instruments and must bring proof of residency to the clinic within thirty (30) days. After 30 days, no additional Food Instruments will be issued until the proof of



Residency is submitted.

When an applicant **has no proof** of residency as a result of being a victim of theft, loss, or disaster an applicant must complete and sign the Guam WIC Program Documentation of Self Declaration/Waiver Form declaring his/her residency (see Appendix E). The Self Declaration/Waiver Form will be filed in agency's daily file.

Homeless Applicants / Participants

Homeless individual means a woman, infant or child:

- (a) Who lacks a fixed and regular nighttime residence; or
- (b) Whose primary nighttime residence is:
 - (1) A supervised publicly or privately operated shelter (including a welfare hotel, a congregate shelter, or a shelter for victims of domestic violence) designated to provide temporary living accommodation;
 - (2) An institution that provides a temporary residence for individuals intended to be institutionalized;
 - (3) A temporary accommodation of not more than 365 days in the residence of another individual; or
 - (4) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

For homeless applicants / participants, the address of friend or relative through which the applicant / participant could be contacted should be collected, if possible. If not, the word 'HOMELESS' or the WIC clinic's address should be used

Institutional Residence

If the participant resides in an institution (i.e., homeless shelter, shelter for victims of domestic violence, home for unmarried mothers, penal institution), the following conditions must be met:

- WIC foods benefit the participant and not the institution (i.e., the institution must not accrue financial or in-kind benefit from the resident's participation in WIC)
- WIC foods are used by the WIC participant only
- The institution allows and encourages the participant to partake of supplemental foods and all associated WIC services made available to participants by the Local Agency (i.e., education, referrals)

~~Note: Institutional SARs may not pick up Food Instruments for all WIC participants in their institutions.~~

The State Agency will contact the facility annually to assure they are still in compliance with the WIC requirements. (See Appendix CECS Homeless Facility Memo, Homeless Response Form and Homeless Institution Guide).



The Homeless Facility is requested to notify the State Agency if it ceases to meet any of the conditions stated above.

The State Agency shall attempt to establish to the best of its ability, whether a homeless facility or institution complies with the conditions stated the above and section (n)(1)(i)(A)-(C) of WIC regulations with respect to WIC participants. If caseload slots are available, full certification periods shall be provided to the following:

- Participants who are residents of a homeless facility or institution which has been found to be in compliance with the conditions stated above and section (n)(1)(i)(A)-(C) of WIC regulations;
- Participants who are residents of a homeless facility or institution whose compliance with the conditions stated above and section (n)(1)(i)(A)-(C) of WIC regulations has not been established;
- Participants for whom no other shelter alternative is available in the Local clinic's service delivery area.

Non-Compliant Institutions Participants

If the institution where a participant is staying is found to be non-compliant with any of the above three (3) conditions:

- During the initial Certification, the participant will continue to receive all WIC benefit
- The participant applies for continuing benefits and still resides in the institution, the State agency will discontinue food benefits, other than formula, to the participant until the accommodation's compliance is achieved. If certified, such participants shall continue to be eligible to receive all other WIC benefits, such as nutrition education, including breastfeeding promotion and support, and health care referral services
- The State Agency shall continue to the end of their certification periods the participation of residents of a homeless facility or institution which cease to comply with the above 3 conditions.
- Once the State Agency determines that the homeless facility/institution does not meet the conditions stated above, it shall refer all participants using such accommodation to any other accommodations in the area which meet these conditions.

5. ETHNIC DATA COLLECTION

Race / Ethnicity Determination

A. In order to comply with a Federal mandate by the United States Department of Agriculture (USDA), all applicants will be verbally asked to declare their race and ethnicity. Country of origin or nationality should not be asked of applicants. Self-declaration at the time of initial Certification is the preferred method of obtaining this data; if, after being asked to self-declare, the applicant does not provide the information, the WIC staff member must visually observe the applicant's race and ethnicity and record in HANDS.

Under no circumstances should WIC staff determine an applicant's race and/or ethnicity without giving the applicant the chance to self-declare.



All applicants will be classified as one of the following ethnicities:

- Hispanic or Latino
- Or
- Not Hispanic or Latino

Additionally, all applicants will be classified by one or more of the following races:

- American Indian or Alaska Native
- Asian
- Black or African American
- Native Hawaiian or other Pacific Islander
- White

Applicants can choose as many races as are appropriate.

Country or origin or nationality should not be asked of applicants.

This data only needs to be collected at initial Certification.

B. In addition, Guam requires that the WIC program capture “Isle of Origin” data for the purpose of assessing “Compact Impact” costs to Guam. Therefore the following information will be documented in the HANDS application:

1. In HANDS next to the race/ethnicity questions in the client’s file there is a drop down labeled “Origins”.
2. Ask the client to identify their isle of origin according to the following list of options”
a.) Chuuk islands b.) CNMI – Northern Mariana islands c.) Kosrea islands d.) Marshall islands e.) Other Micronesian islands f.) Palau islands g.) Ponapae islands h.) Yap islands
3. The client can **self-declare** their isle of origin without providing documented proof. That is, what island or island group they are citizens of and migrated to Guam from. This should not become a barrier to participate in the WIC Program.
4. If the client does not fit into one of the option listed from a.-n or requests not to identify their Guam isle of origin, “o. All others” should be indicated.

6. INCOME ELIGIBILITY

Policy:

WIC applicants will have their income evaluated at each Certification using procedures outlined in this section (see Appendix for Income Guidelines chart).

All applicants will provide documentation of income through:

- Proof of participation in an adjunctively eligible program (preferred)
- Or
- Proof of income

Determining Household Size / Economic Unit



Household / economic unit is defined as a group of related or non-related individuals who are living together as one economic unit.

Household / economic unit members share economic resources and consumption of goods and / or services. The terms “economic unit” or “household size” can be used interchangeably. However, “economic unit” is a more appropriate term to use because it conveys that familial relationship is not relevant to the determination of family size and income.

An individual does not have to receive cash to be part of the economic unit of others. It is the pooling of income or sharing of the goods and services that creates an economic unit.

All members of a family or economic unit are to be counted in the family size.

All residents of a homeless facility or an institution shall not be considered as members of a single family, but rather each family, within the homeless facility or institution, shall be considered a separate economic unit.

There are many different family configurations in communities today and it would be impossible to address all of them in one procedure.

WIC staff must assess all situations on an individual basis and determine, to the best of their ability, using the information provided in this procedure, the actual family size. In unique situations where no previous experience is available and no guidance is provided, staff should contact the State WIC Office for help in determining the family size.

A child is counted in the economic unit of the parent or guardian with whom he/she lives.

1. Questions to ask:
 - a. Is the applicant an emancipated minor?
 - b. Does the applicant have a source of income?
 - c. Is the applicant paying for their portion of the rent and groceries using their own income?
 - d. Is the applicant exchanging work for the ability to live in the home?
2. If it is determined that the applicant is a separate economic unit, then only the applicant and their children would be counted in the economic unit.

Unborn Fetus

Unborn fetus are not automatically counted as part of the household size. If a household is determined to be income ineligible, staff will offer the option to include the unborn child in the household size and recalculate household income.

Child Residing In a School or Institution

1. If the parent or guardian is supporting the child, they are counted in the economic unit of the parent or guardian, since the family continues to provide the economic support of the child.

Legal Custody or Adopted Child

When a child has been adopted by a family or been given legal custody to an individual, the child is counted in the household size of the family where he/she normally resides. The size and total income of that economic unit will be used to determine if the child is income eligible for WIC.



Foster Child

1. If an infant or child is in the care of foster parents, Child Protective Services (CPS), or other child welfare authorities, the infant or child will be considered a family of one (1); this income is to be documented in the income screen in HANDS. The foster child will be the only family member selected to apply the income amount towards.
2. If the foster child is the only participant in the file, the family size is one (1).
3. If the foster child is a member of a family with other non-foster children, the family size will be the actual size of the Authorized Representative's family minus the foster child. HANDS will automatically count the foster child as a family of one (1) when the 'Foster Care' box is checked.
4. The placement paper, commonly called "Notice to Provider", or an official notification of placement from a temporary adoption organization is required to make the foster parents the Authorized Representatives. In Guam this may be a court order for limited custody of the infant/child. The payments made by the welfare agency or received from other sources for the care of that child will be considered to be the only income. Relevant documents shall be scanned and saved in the participant's file for future reference.

Note: Families with multiple foster children can share a family ID number in HANDS and folder. Each Foster child will have a separate income documented in the income screen as a household size of one (1).

Military Family Economic Unit:

Military personnel serving overseas or assigned to a military base, even though they are not living with their families, should be considered members of the family's economic unit.

Military dependents (infant, child, or woman) placed in the temporary care of friends or relatives who are dependent on the friends/relatives to provide food, utilities, etc., should be considered a part of that household/economic unit during Certification. If the military dependent applicant receives funds to sustain her/himself, s/he may be counted as a separate economic unit.

To determine economic unit for military families when military personnel are serving overseas or assigned to a military base and temporarily absent, the following options exist:

Option 1: Ask the following question to determine if this option may be used:

- Is the total income of the family known?

YES – Count the absent parent(s) and their child(ren) along with the other parent as an economic unit.

NO – Go to option 2.

Option 2: Ask the following questions to determine if this option may be used:

- Do you know the amount of the allotment the spouse/child(ren) are receiving from the absent parent(s)?

YES – Count the non-deployed spouse/child(ren) as a family unit.

NO – Determine who is paying the expenses for the family/child(ren).

(OR)

- Are the individuals who the child is staying with receiving any income for the support of the child if neither parent is with the child?

YES – Count the child(ren) as a family of one, two, three, etc.

NO – See option 3.



Option 3: When staff is unable to use Options 1 and 2, then they should consider the child(ren) part of the economic unit of the person(s) they are residing with.

Income eligibility determination- military:

When military parent(s) are deployed the economic unit may experience significant changes in income. The WIC agency should determine if it is more appropriate to annualize all income or to use a “current” rate of income while a family member is on active duty to arrive at a more accurate reflection of the income status.

Note: Military housing allowances are not considered income, see additional information in this chapter.

Pregnant Women

A pregnant woman’s household is assessed by increasing it by the number of expected infants (unless the applicant has religious or cultural objections which preclude this). If she is expecting one child, count her as two; If she is expecting twins count her as three, and so on.

EXAMPLE 1: Doris Mason is married and pregnant. She and her husband have an eight-month-old infant and a two- year-old child. Her total household size is 5.

EXAMPLE 2: Under the same scenario, if Doris applies for WIC for her eight-month-old infant or her two-year-old child, the household size of five will apply.

EXAMPLE 3: Molly Cules is a **single** mom expecting twins. She also has a three-year-old child. Molly applied to be on WIC. Her household size is 4.

Resident of Institution

The resident of an institution is considered a separate economic unit from the other residents of the institution. If a family lives together in an institution, they are a separate economic unit from other families in the institution .The institution must meet the conditions as outlined in the previous section on institutional residency.

Co-living

Two (2) separate households / economic units residing at the same address under the same roof may be considered separate households / economic units. Each household must have an adequate source of income to cover expenses, such as rent, food, utilities, and other, to be determined as separate households / economic units. When unmarried individuals reside together as an economic unit, the income and household size of both parties will be used in determining income eligibility.

Separate Family

When a family separates, the child is counted in the family with whom the child lives.

Custody

The parents with whom the child spend(s) a majority of their time can claim the child in reporting household size. Child support payments received are considered income for the family with whom the child lives, but cannot be deducted from the income of the person making the payments.

If the parents/guardians equally share custody, the child is counted as part of both the mother’s and the father’s households when determining WIC family size for each parent. Remember: The child can only participate in WIC with only one parent.



EXAMPLE: Jose's parents are divorced and share custody equally. Dad applied for WIC for Jose in June and received benefits. In October, Jose's mother applied for WIC for Jose. Mom should be told that Jose is already participating. Mom and dad must make arrangements to share WIC benefits. WIC does not issue partial food packages to each parent, based on the amount of time they each have the child.

EXAMPLE: Michael's parents share equal custody. Mom applies for WIC for Michael in April and receives benefits for him. They have a family size of two, mom and Michael. In July Michael's stepmother applies for WIC for herself. Her family size is four, herself, the unborn baby, Michael's father, and Michael. No benefits for Michael will be issued to the stepmother/dad. They may make arrangements to share his WIC benefits.

Pregnant minor or mother who is under eighteen (18) years of age

Pregnant minors and mothers are not automatically eligible for WIC services. Determining the appropriate economic unit of a minor applicant, income status, and nutritional/health status of the minor are what indicate whether or not the minor is WIC eligible.

1. First determine who is living in the same dwelling/home in order to establish the economic unit for the minor.
2. Next determine all income sources for the minor's economic unit.
 - a. Include the minor's own income.
 - b. Include income the minor receives from those not living under the same roof, including any income from her parents or others.
 - c. Include all income for those under the same roof who are part of the minor's economic unit.
3. When there are questions about determining economic unit and/or calculation of income eligibility, they should be referred to the Guam State Nutrition Service Coordinator (WIC Public Health Nutrition program specialist) for resolution.

EXAMPLES:

1. Chelsea Sears is 16 years old and pregnant. She and her boyfriend live in an apartment. No one else lives with them. She applies for WIC. She also plans to apply for SNAP and MC because she and her boyfriend have no income. They are both looking for work.

Chelseas's father paid for the down payment and first month's rent on the apartment. Her boyfriend's parents bought groceries for them. None of the parents gave or plan to give Chelsea or her boyfriend any cash.

The WIC economic unit includes only those who live in the apartment; Chelsea (pregnant) and her boyfriend). Their current income is zero. The in-kind benefits from their parents are not countable income.

2. Mariah Hedricks applies to Dededo WIC for WIC services. She is 16 and pregnant. Ms. Hedricks lives with her parents. She and her boyfriend, who is living with her, are engaged and plan to be married after the baby is born. Ms. Hedricks is working and pays room and board to her parents. Her boyfriend is not working full time, but does occasional car repair jobs.



Ms. Hedricks and her boyfriend should be considered a separate economic unit from her parents because they are providing for necessities independently of her parents by paying room and board. Any current income generated by Ms. Hedricks and her boyfriend at this time should be included in her income determination

3. Maria is 15 years old, pregnant, and has moved in with her grandmother who has been living alone in a house she owns. Maria's parents feel that they are "teaching her a lesson" by not providing Maria with any financial support any longer. Maria has no income of her own, has not applied for Medicaid, SNAP, or TANF and is dependent on her grandmother for food, shelter and other necessities.

The WIC economic unit includes Maria and the grandmother. All of the grandmothers' income is included in the WIC income eligibility determination. In this case, it is only the grandmother's social security payment that is income because the grandmother has no other income and Maria has no income.

In stream Migrant Worker (ALTHOUGH NOT CURRENTLY SEEN IN GUAM)

In stream migrant farm workers with expired Verification of Certification (VOC) cards are income-eligible as long as their income is determined at least once every 12 months.

Date of Income Determination

Determination of income eligibility will be made at the time of Certification. The date of Certification on the Rights & Obligations Form and the Identification / VOC Card will be the date income eligibility was determined.

Income Standards

The State Agency will adopt the income standard of 185% of the current DHHS Poverty Guidelines as its eligibility standard. Local Agencies will implement the federally established income eligibility standards for their program (see Appendix F).

All data used to determine income eligibility will be reflective of the applicant's total household income and applicant's status at the time of Certification.

Adjunctive Eligibility

When completing an income eligibility determination, the local agency should first determine whether the applicant is participating in an adjunct income eligibility program (Medicaid, Special Nutrition Assistance Program (SNAP, aka, the Food Stamp Program), Temporary Assistance for Needy Families (TANF). When an applicant, or in some cases a family member, is certified as eligible to receive benefits under certain federal program they are adjunctively income eligible for WIC and not subject to traditional WIC income eligibility screening. An applicant is adjunctively income eligible for WIC if documentation shows the **individual** is:

- Certified as eligible to receive SNAP for themselves.
- Certified to receive TANF for themselves or is a member of a family that receives TANF.
- Certified to receive Medicaid (Title XIX) or the applicant is a member of a household in which a pregnant woman or an infant receives Medicaid.
- An infant born to an individual who is enrolled in SNAP or Medicaid, or into a family that is receiving assistance under TANF.



Documentation of Adjunctive Eligibility

Proof of adjunct income eligibility must be confirmed at the time of certification and must include proof of current eligibility dates. Self-declaration is not an acceptable form of documentation for adjunctive income eligibility.

Eligibility and participation in an adjunctively eligible program can be confirmed with an official verification system, such as a dial-up confirmation if available. Other options include a letter that lists the persons who receive the benefit and lists the certification period. The certification period listed must include the WIC month of application.

The Local Agency will use income information appropriate to the circumstances of the applicant. Examples of acceptable documents (eligibility dates must be included) for adjunctively income eligible applicants include:

- TANF - approval letter for the applicant or for another member of the applicant's household
- SNAP – the most recent certification letter that lists the WIC applicant as a SNAP recipient
- Medicaid eligibility document for the applicant or for a pregnant woman or infant in their household

NOTE: SNAP Electronic Benefits Transfer (EBT) cards are not proof of current SNAP/Food Stamp Program participation. For Medicaid a card with a magnetic strip is not sufficient documentation.

The type of documentation will be noted on the Client Income screen of the HANDS system.

When a participant has documentation of current eligibility / participation in one of the above three programs at the time of Certification, enter it into the HANDS system as follows:

1. Enter the dollar amount of **estimated** income disclosed by the participant (Proof of income may be provided, but is not necessary for the person who is adjunctively income eligible).
2. Enter the appropriate interval (i.e., weekly, monthly).
3. Enter the form of documentation shown by the participant (i.e. for TANF / Food Stamp / Medicaid letter, other).

If only some persons are adjunctively income eligible in the same household, a current household income determination must be made for the remaining WIC applicants which includes documentation of any income from the adjunctively eligible WIC applicant. Confirm and document the income of the individual(s) who is/are adjunctively eligible in "Family Members" in the appropriate field. Then select the name(s) of the nonadjunctively income eligible applicant(s) and enter the confirmed income amount. In these situations, for the persons that are not adjunctively income eligible, all income of the household should be confirmed and included as part of total household income determination.

Documentation of Income

Documentation of income means presentation of written and/or electronic documents, such as current pay stubs or unemployment benefits, earnings statements, copies of prior year income tax returns or other documents, that establish the household's total current income.



Current income means income received in the last 28-31 days, or in certain circumstances you may determine an annual income amount. The current income for all household members must be provided as part of the WIC certification process, and must be recorded in the participant's case file. Electronic proof of income is acceptable. Any income document that is acceptable on paper must also be accepted electronically, such as when proof of income is viewed on an electronic device, such as a cell phone or tablet.

The source of income for each household member will be indicated on the Client Income screen of the HANDS application. The number of household members is noted on the Client Income screen of the HANDS system.

Acceptable types of documentation of income include, but are not limited to:

- Most recent Pay stubs for 28-31 days prior to the current date
 - If they are paid weekly, use the 4 checks received prior to the interview date
 - If paid bi-weekly or 2 times per month, use the 2 checks received immediately prior to the interview date
- If an applicant provides only one 2-week pay stub and informs WIC staff that they receive the same amount every 2 weeks, certifying personnel may determine the documentation received is reasonable and use it to calculate the applicant's monthly income.
- Unemployment form or copy of unemployment rate (if applicable)
- Statement signed and dated by employer when wages are paid on a cash basis
- Validated Tax return forms for the most recent year

Applicants with No Proof of Income

In instances where an applicant cannot provide written documentation of income, Guam WIC may allow the applicant to self-declare his/her income. This is an option if WIC determines that requiring income documentation presents a barrier to receiving WIC services. These instances may include a homeless woman, child, a person affected by a disaster or a person who works for cash; the applicant must sign a statement specifying why he/she cannot provide documentation of income.

*When using these exceptions, the Guam WIC program requires that the applicant sign a statement specifying why he/she cannot provide documentation of income. **Such a statement is not required when there is no income (i.e. zero income).***

Self-Declaration of Income Statement When No Documentation Exists

A WIC applicant may self-declare income when necessary and receive WIC benefits for the full period of certification.

HANDS Procedures:

- The WIC applicant will need to sign the "Income Waiver " statement in HANDS using the signature pad.



- The income data collector will then need to enter into the client's notes (i.e. General Information or Staff Alert depending on the number or participants affected) a rationale for why the WIC applicant(s) can not provide proof of income.

Manual Procedure:

- The income data collector will need to complete a manual "Waiver" form (see Appendix in II-CE), stating why no income documentation exists and have the WIC applicant sign it.
- Enter the dollar amount of income disclosed by the participant (for the income that they have no documentation for).
- Enter the appropriate interval (i.e., weekly, monthly) that income is received.
- Upload the form into HANDS when the system is available.

Applicants with Zero Income

For applicants declaring zero income staff should ask the applicant to describe in detail their living circumstances and how they obtain basic living necessities such as food and shelter. There is no requirement to secure a statement in writing, but staff make enter notes to describe how basic expenses are obtained.

Zero income will not be a barrier to receiving WIC services. Each time a household declares zero income, the certifier should review in detail their living circumstances to determine how they obtain basic living necessities such as food and shelter.

Questions to ask:

1. How are you paying for or receiving food to eat? Shelter?
2. Are you participating in TANF, SNAP, or Medicaid?
3. How long has the family (or you) been without income?

WIC applicants with **no proof of income** or **zero income** will be able to participate for the whole certification period. Make referrals to other programs (TANF, SNAP, Medicaid) if appropriate.

Forgot Proof of Income Documentation at Certification Appointment

A WIC applicant may be given a 30 day grace period if documentation of income exists but was not brought in for the certification appointment. This could include when partial proof ~~for some~~ **sources** of income is brought in but at least one source of the total income documentation is not.

In order for an applicant to get the 30-day certification grace period, they must have the other two of the required forms of documentation that exist (e.g., residency and identity). In addition, the local agency must determine that an applicant meets all other eligibility criteria (identity, residency and nutrition risk) and screen for the possibility of income eligibility based on self-declaration via a signed statement from the applicant. Provide one month of food benefits and require that appropriate income documentation is provided to the local agency within 30 days.

NOTE: Clinic staff should advise the client to return with the required documentation before 30 days since they will need to be rescreened after 30 days if they miss their appointment or fail to have the appropriate documents on the 30th day.

If the applicant returns within the 30-day time period with the appropriate documentation and is found to be eligible, they should be certified for a full certification period, beginning with the date that WIC benefits were initially provided.



If the applicant fails to provide the necessary income documentation by the 30th day or provides the documentation and they are found to not meet WIC's income eligibility limit, they are determined ineligible for WIC and are not given any additional WIC benefits. When this occurs they must be given an opportunity for a fair hearing to appeal a decision regarding eligibility, but Guam WIC does not give a 15-day advance notice of this action and no WIC benefits are issued.

Also, do not provide an additional 30-day certification period to provide information if the applicant fails to provide the required missing documentation. **Once the 30th day has passed, any efforts will be treated as a new certification.** Participants certified using a temporary certification may not receive a consecutive, subsequent temporary certification (i.e., two “back-to-back” temporary certifications that would equate to 60 days of continuous temporary certification). If a participant receives a temporary certification and that certification is followed by completion of the certification process or a minimum of 6 months passing since the last temporary certification was issued, the participant will be eligible for a second temporary certification.

HANDS Forgot income documents Procedures

If an applicant forgot their proof of income but the proof exists, the clinic staff will continue processing the applicant in the HANDS income module calculator by:

Entering the claimed amount of income for the household in the income module and indicating the appropriate interval for said amount.

1. Documentation will be indicated as “10- Forgot Documentation/30 day Grace Period”.
2. Also indicate the family member(s) this applies to in the “Family Members” field.
3. Then click on the “Signature” tab and have the WIC applicant sign the HANDS signature pad indicating that they understand that the missing documentation for income will need to be produced within 30 days or they will need to begin the application process for the WIC program again.
4. Enter in the client file notes the earliest time that the WIC applicant is able to provide the required documentation and that they were advised that they should not wait until their next appointment if possible.

The use of the Forgot Documentation Form is to be signed in the Income screen on the signature pad of the HANDS system.

Manual WAIVER Form /HANDS input procedure

The manual Waiver Form has several uses in the Guam WIC program. It is separated into two (2) sections, top and bottom, and each section has a different use.

- 1.) The top of the Waiver Form is used when the applicant has documentation of income, address, or identification, but ~~did not~~ **forgot to** bring it to the Certification appointment. The WIC applicant will be given a 30-day grace period in order to comply with the documentation requirements.



- 2.) It is not necessary to use this form unless the HANDS system is down. The WIC HANDS client processing system is automated for this situation. See HANDS procedures below that correspond to the waiver form.

The first section of the manual “Waiver” form is to be completed when the HANDS system is inoperative and can be input into HANDS when it is active again by:

- Checking the box(es) that indicate(s) that documentation exists for income, address, or identification, but was not brought to the certification appointment as appropriate.

Client file notes need to indicate that a manual form was completed due to the HANDS system being inoperative and the client was advised of the 30 day grace period after which, if documents are not submitted, the applicant will need to begin the WIC application process again.

- WIC staff may find it advantageous to assist the WIC applicant in drawing a map of their residence location which can subsequently be uploaded into their HANDS client file. This will eliminate the need for a 30- day grace period when other means of residency documentation do not exist.

A. In the cases where no income, address, or identification documentation exist, proceed to the second section of the form.

The second section of the manual “Waiver” Form is used when documentation of income, address, or identification documentation does not exist and is good for the entire Certification period. The “Waiver” form is to be completed when the HANDS system is inoperative and can be input into HANDS when it is active again

- The second section of the form is to be completed by clinic staff interviewing the client.
- When **zero income** is indicated, the manual form should be completed and uploaded into the client file in HANDS, the client will need to indicate how food and shelter are obtained when there is no income. This information should be entered into the client’s HANDS notes when the system is operational.
- In the cases where **no ID documentation exists**, the reason for not being able to provide documentation of identity must be indicated and what efforts are in progress to obtain identification documentation for the next certification.
- In cases where the individual is has **no residence exists** due to Homeless they should be asked to provide a way to contact them (cell phone, mailing address) and you may want to ask for a statement indicating where they sleep most of the time.
- Document how food and shelter are obtained by the WIC applicant with no income, address, or identification documentation existing. When the manual waiver form is used, upload the “Waiver” form into the client’s file in HANDS when it is operating again.

Timeframes for Determining Household Income



The certification interview should include a discussion with the applicant to discuss, consider, and compare the income of the family during the past 12 months and the family's current rate of income to determine which timeframe more accurately reflects the family's status for each source of income. There are exceptions to this such as persons who are unemployed. They must have their income estimated based on their current rate of income, such as current receipt of unemployment.

Use of Current Versus Annual Timeframes

In instances where a family member experiences a temporary decrease in income (furloughs, strikes), staff should use the current rate of income.

Guam defines "current income" as income received during the month (previous ~~30~~ 28-31 days) prior to the date of the application for WIC. There are some instances when the local staff should look at income anticipated to be received in the next ~~30~~ 28-31 days. When using the previous ~~thirty~~ 28-31 days use the four weekly paystubs, two bi-weekly paystubs, etc., for the ~~30-28-31~~-day timeframe immediately prior to the application interview date.

There are times when using the prior ~~30~~ 28-31-days income may not be the best indication of their current situation. It may more appropriate to use the next ~~30~~ 28-31 days and make an income determination prospectively. In this instance, "current" refers to income that will be available to the person in the next ~~30~~ 28-31 days if that is a more appropriate reflection of anticipated income.

Example of when to use current prospectively, as the anticipated ~~30~~ 28-31 days:

- a family with one individual who just lost their job and received their last check last week. In this case, the use of current income expected in the next ~~30~~ 28-31 days may be more appropriate than income received in the prior ~~30~~ 28-31 days.

There are other situations where using annual income is more appropriate than using current income. These include when someone is self-employed or seasonally employed workers whose income fluctuates during the year. Annualizing the income may be a more appropriate way to determine the income to consider.

Other examples in which the use of annual income is more appropriate include:

- a family member who received a bonus or overtime in the past 30 days but does not get those payments every month;
- teachers who are paid on a 10-month basis and are temporarily on leave during the summer months; and

Income Variations:

Local program staff should consider income changes for individuals who are seasonally employed, or have fluctuations in income in order to provide an accurate assessment of their current income. Normally it is advisable to consider using the current income tax return.

**VIII. CERTIFICATION, ELIGIBILITY & COORDINATION OF SERVICES**

Use the HANDS income calculator to determine which income documentation interval(s) is applicable (annual, quarterly, semiannual, semimonthly (2 times/month), biweekly(every 2 weeks), monthly, weekly, hourly) and represents the current pay documentation.

Some income may be assessed on an annual basis if regular income intervals are not applicable such as in the case of seasonal workers, on call construction workers and the like.

- A. HANDS procedure:
 - a. Go to the family file “Income” module and click on “Add” for income.
 - b. Then click on the “income averaging” button.
 - c. Select the time interval to be assessed.
 - d. Then enter the dollar amount for the documented interval. Only documents for the ~~30~~ 28-31 days before the income assessment need to be considered for an income assessment.
For weekly income, you must use the prior 4 pay amounts.
For bi-weekly or semi-monthly income, use the two pay amounts received prior to date of the WIC interview.
 - i. The interval for seasonal workers will be ANNUAL.
 - e. Indicate the type of document(s) used.
 - f. Click OK.

Families that are not income eligible should be referred to other financial, food, or medical services as appropriate.

Reassessment of Income mid-Certification

The local agency should not inquire about changes to income at appointments that are not certification appointments. However, if the agency receives information about income changes or loss of participation in an adjunctive program, an assessment should be made as follows-

- If information indicates the WIC household may be over income guidelines and there is more than 90 days remaining in any participant’s Certification period, the income must be recalculated and if found to be over income the participant(s) are disqualified from continued participation in the WIC program. They must also be given a completed ineligibility form and informed of their right to a fair hearing.
 - If the participant appeals the disqualification determination, they can continue to receive program benefits until a decision is made or the Certification period expires, whichever comes first.
 - If there is 90 days or less before the Certification period expires, then an income recalculation is not required.
- In the event that there is more than one participant in the family, and recalculation of the household income makes the household ineligible for WIC, all WIC participants will no longer be eligible to receive WIC benefits and will be disqualified from participation in the WIC program.



- At the mid-certification recalculation income ineligible participants with **90 days or less** in their certification end date can continue to participate until the end of their certification period.

Income / Gross Income Determination

Gross cash income before deductions such as income taxes, employee's social security taxes, insurance premiums, bonds, etc.

The exceptions are farming or self-employment, where net Income is used as the criteria.

Wages

Monetary compensation for services, including wages, salary, commissions, tips, or fees.

Active Military Payments

Recent leave and earning statement are accessed.

Continental United States Cost of Living Allowance (CONUS **Military** COLA) provided to military personnel in designated high-cost **CONUS COLA** areas within the continental United States. See Appendix N for further clarification.

Farm / Self Employment

Income from farm and non-farm self-employment. This is net income (total dollars made in the business minus operating expenses) as calculated by schedule C of IRS form 1040 or a ledger of business operations.

Dividends/Trust/Rental Income

Dividends or interest on savings or bonds, income from estates or trusts, or net rental income as documented by Federal Income Tax Record for most recent calendar year.

Social Security

Check stub / award letter as documented by current bank statements.

Public Assistance

Public Assistance or Welfare payments.

Note: Persons receiving TANF, Food Stamps, Medicaid benefits are automatically income eligible for WIC.

Unemployment

Unemployment compensation as documented with approval letter or check stub(s).

Retirement/Pension/Annuities

Government civilian employee or military retirement; pension or veteran's payments; private pensions or annuities. Documentation includes income tax return for most recent calendar year.

Alimony and Child Support Contributions



VIII. CERTIFICATION, ELIGIBILITY & COORDINATION OF SERVICES

Alimony and child support payments. Child support payments are considered income for the family with whom the child lives, but cannot be deducted from the income of the person making the payments.

Regular contributions from persons not living in the household. Appropriate documentation would be a letter from the person contributing resources to the household.

Royalties

Net Royalties

Other Cash Income

Other cash income includes, but is not limited to, cash amounts received or withdrawn from any source, including savings, investments, trust accounts, and other resources which are readily available to the family.

Lump Sum Payments

Lump sum payments, which represent “new money” that are intended for income, are counted as income. Lump sum payments include gifts, inheritances, lottery winnings, workers compensation for lost income, severance pay, and insurance payments for “pain and suffering.” Lump sum payments for winnings and proceeds from gaming, gambling, and bingo also count as income. The lump sum payment may be annualized (count as annual income) or may be counted in its entirety as income for the one month it is received.

Note: Lump sum payments that represent reimbursement for lost assets or injuries should not be counted as income. This includes amounts received from insurance companies for loss or damage of personal property or payment for medical bills resulting from an accident or injury.

Student Financial Assistance

Student financial assistance used by the student for room and board and for dependent care expenses is considered income.

Note: Financial assistance that is used for tuition, transportation, books, and supplies is exempt.

The following benefits are excluded as income in determining WIC eligibility:

Military Housing Allowance

Any basic allowance for quarters received by military services **Allowance** personnel residing off military installations or bases.

Armed Forces Family Subsistence Supplemental Allowance (FSSA)

Payments received under the Armed Forces Family Subsistence Supplemental Allowance (FSSA), to bring a household’s income up to 130% of the Federal Poverty Level, are not to be counted as income or resources.

Military Cost of Living Allowance

Military cost of living allowance (i.e. OCONUS COLA) is not counted as income.

Military Combat Pay



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Military combat pay is not counted as income when a household member is deployed to a combat zone.

In-Kind / Non-Cash Benefits

Any benefit of a value which is not provided in the form of cash money is considered an in-kind benefit and is not counted as income.

Federal Program Benefits

Benefits provided under the following Federal Programs or Acts include, but are not limited to: Reimbursements from the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended in 1987.

Any payment to volunteers under Title I (Volunteers in Service to America (VISTA) and others or Title II (Retired and Senior Volunteer Program (RSVP), Senior Companions Program (SCP), Foster Grandparents Program and others) of the Domestic Volunteer Services Act of 1973, to the extent excluded by the act.

Payment to volunteers under Section 8 (b) (1) of the Small Business Act Service Corps of Retired Executives (SCORE) and Active Corps Executives (ACE).

Payments received under the Job Training Partnership Act (Adult and Youth Training Programs, Summer Youth Employment and Training Programs, Dislocated Worker Programs, Programs for Migrant and Seasonal Farm Workers, Veterans and the Job Corps).

Payments under the Low-income Home Energy Assistance Act, as payment under the Disaster Relief Act of 1974, as amended by the Disaster Relief and Emergency Assistance Amendments of 1989.

Payments received under the Carl D. Perkins Vocational Education Act, as amended by the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990.

The value of any child care payments made under section 402 (g)(1)(E) of the Social Security Act, as amended by the Family Support Act, including:

- Aid to Families with Dependent Children (AFDC)
- Title IV – A Child Care Program
- JOBS Child Care Program

The value of any “at risk” block grant child care payments made under section 5081 of Public Law 101 – 508, which amended section 402(i) of the Social Security Act.

The value of any childcare provided or paid for under the Child Care and Development Block Grant Act, as amended.

Mandatory salary reduction amount for military personnel, which is used to fund the Veteran’s Educational Assistance Act of 1984 as amended.

Payments received under the Old Age Assistance Claims Act, except for per capita shares in excess of \$2,000.

Payments received under the Cranston-Gonzales National Affordable Housing Act, unless the income of the family equals or exceeds 80% of the median income in 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% of the median income of the area.

Benefits received through the Farmer Market Demonstration Project under Section 17 (M)(7)(A) of the Child Nutrition Act of 1966, as amended.



Under the Social Security Act, as amended with the Prescription Drug Card, persons receiving the prescription discount and / or the \$600 subsidies shall not have these benefits treated as income.

Loans

Loans, such as bank loans, are not counted as income.

Employer Contributions

Employer qualified benefits, i.e., benefits that the employer pays for (health care, vision, dental care, life term group insurance, disability, certain other benefits and flexible spending accounts) that are made pursuant to salary reduction agreements between the employer and the employee are not counted as income.

Income of /Payments to Native Americans

Income derived from certain sub-marginal land of the United States that is held in trust for certain tribes.

Income derived from the disposition of funds to the Grand River Band of Ottawa Indians.

Payments received under the Program for Native Americans.

Payments to the Passamaquoddy Tribe and the Penobscot Nation or any of their members, received pursuant to the Maine Indian Claims Settlement Act of 1980.

Payments received under the Alaska Native Claims Settlement Act.

Payments received under the Sac and Fox Indian Claims Agreement.

Payments received under the Judgment Award Authorization Act, as amended.

Payments to the Blackfeet, Groventre and Assiniboine tribes (Montana) and the Tohono O'odham Nation, a.k.a. Papago tribe (Arizona).

Payments to the Red Lake Band of Chippewas, the Chippewas of Mississippi, and the Turtle Mountain Band of Chippewas (Arizona).

Payments for relocation assistance for Navajo and Hopi Tribe members.

Payments received under the Saginaw Chippewa Indian Tribe of Michigan Distribution of Judgment Funds Act.

Payments to the Assiniboine tribe of the Fort Belknap Indians Community and the Assiniboine Tribe of the Fork Peck Indian Reservation (Montana).

7. CATEGORICAL ELIGIBILITY

A potential participant must be:

Pregnant Women

A pregnant women (proof of pregnancy is not required).

Postpartum Women

A postpartum woman up to six (6) months after the end of the pregnancy.

Breastfeeding Woman (Revised ME Findings -#2-1449)

A woman who breastfeeds an infant at least one time per day, up to one (1) year or until she completely stops breastfeeding before the infant turns one (1) year old.



When a breastfeeding woman is **more than 6 months postpartum** and notifies the agency that she is no longer breastfeeding:

- she becomes categorically ineligible
- she is terminated from the WIC Program once she reports this change
- if benefits were already provided, no other benefits should be issued
- if benefits were not provided for the month in which she reports stopping breastfeeding, do not issue any for her
- cancel or void any benefits she has for herself for future months
- additionally the non-breastfeeding woman who is more than 6 months postpartum will be given a printed ineligibility notice indicating that she has been terminated today from participation in the WIC Program for no longer breastfeeding after six (6) months postpartum.

- The reason for discontinuing to breastfeed must also be indicated in the participant's progress notes (i.e. work environment not supportive of breastfeeding, too many issues with breastfeeding, doctor's advice due to ..., etc.).

*** A 15 day notice is not required** prior to terminating the participant's benefits and the issuance of food instruments in addition to what the participant already received. The participant is being terminated for no longer being categorically eligible. [7 CFR 246.9(g)]

Infant

An infant until their first (1) birthday.

Child

A child between the ages of one (1) year and the last day of the month in which the child turns five (5) years old.

8. HEMATOLOGICAL TEST FOR ANEMIA

PURPOSE

To ensure accurate and thorough determination of Nutrition Risk Conditions through complete nutrition assessment and hematologic testing and established guidelines in conducting In-clinic blood testing (hemoglobin or hematocrit) for anemia.

POLICY

1. Clinical Staff shall perform a complete nutrition assessment on every WIC applicant who is categorically eligible and whose income and residence meet program guidelines.
2. A complete assessment shall include the following:
 - a. Anthropometric measurements
 - b. Biochemical (anemia and lead screening)
 - c. Clinical/Medical Data
 - d. Diet and Nutrition
 - e. Environmental

**VIII. CERTIFICATION, ELIGIBILITY & COORDINATION OF SERVICES**

Guam WIC Program shall obtain hematologic test data for anemia from referral sources or conduct an In-clinic blood testing at the time of certification or within 90 days of the date of certification, as long as the applicant is determined to have at least one qualifying nutrition risk factor at the time of certification. (refer to appendix J: Biochemical Data Collection Chart).

3. Guam WIC shall have an In-clinic hematologic testing and Clinical Laboratory Improvement Amendments (CLIA) Certificate of Waiver to ensure that certain In-clinic testing standards are maintained.
 - a. Clinic staff shall be trained to collect blood samples for hematologic test for anemia.
 - b. A hematological test for anemia will be performed following the Biochemical Data Collection Chart for the participant category.
 - c. Appropriate procedures and equipment will be used when performing hemoglobin or hematocrit tests in WIC clinics.
 - d. Applicants 2 years and older may have their blood test taken at the clinic via non-invasive Massimo testers.
4. The Guam WIC program shall still utilize the Guam Department of Public Health and Social Services (DPHSS) Laboratory and Diagnostic Laboratory Services (DLS) and send participants for blood testing in certain circumstances such as;
 - a. Legal Guardian or representative is not consenting to In-clinic blood testing.
 - b. Difficult for staff to obtain blood samples after several attempts.
 - c. No available in-clinic hematologic testing supplies.
5. WRO shall be notified if any issues arise with blood testing supplies/procurement which leads to an extended break in in-clinic blood testing services.
6. Participants who do not have blood work data are not to be denied WIC benefits. One month of benefits shall still be issued until blood work data is obtained.
7. Participant's blood testing may be waived if there is a religious objection (e.g., Christian Scientist) or a medical reason (e.g., hemophilia, thalassemia, sickle cell anemia, sensory processing disorders) or if performing the test will cause physical harm to the participant and/or staff member.

RESPONSIBILITIES

Program Coordinator IV

Conducts routine checks and monitor inventory of microcuvette and non-invasive Massimo sensors. Shall ensure minimum inventory stock levels are maintained and steady supply for dissemination to the clinic. Notifies WRO when blood testing supplies/procurement issues arise.

Clinic Supervisors

Monitor their supplies at the clinic level and would place an order to admin to receive more if needed.

Public Health Nutrition Specialist

Shall ensure that staff are trained and competent on In-Clinic blood testing. Shall ensure that current CLIA waiver is maintained.

PROCEDURES**A. Blood Work Data Collection**



1. WIC Receptionist shall obtain consent for hemoglobin screening; have the participant or legal guardian sign the consent found in the Medical Category section of the Health and Nutrition Delivery System (HANDS).
2. WIC staff shall obtain blood work data following the Biochemical Data Collection Chart (Appendix J) using one of the following methods as appropriate.
 - i. In-Clinic Blood testing using HemoCue – performed ~~only by a CPA.~~ by **trained staff** (Refer to Manual for detailed procedure instruction)
 - a. Establish a clean workspace to lay testing supplies by wiping the surface with disinfectant before and after testing.
 - b. Wear a new set of sanitized gloves.
 - c. Prepare participants fingers by rubbing fingers towards the fingertip.
 - d. Clean puncture site using alcohol swab. Use only middle or ring finger.
 - e. Remove a cuvette from the vial and recap the vial immediately.
 - f. Clean puncture site alcohol swab, and allow to air dry.
 - g. Using your thumb, gently roll thumb or lightly press the finger from the top of the knuckle toward the fingertip. This stimulates the blood flow towards the sampling point.
 - h. Sample or puncture at the side of the fingertip pad not the side of the finger. Press the lancet firmly against the fingertip prior to activating the lancet.
 - i. While maintaining gentle pressure toward the fingertip, puncture the finger using the lancet.
 - j. Discard the lancet in an approved container (sharps container).
 - k. Wipe away the first 2 drops of blood prior to filling microcuvette.
 - l. When the blood drop is large enough, fill the microcuvette in one continuous process. Ensure it is filled properly with no air bubble
 - m. Place microcuvette into analyzer.
 - n. Apply bandage over puncture site.
 - o. View results
 - ii. Utilizing Outside Laboratory
 - a. Fill out lab slip form request for Hgb and Hct
 - b. Give instruction to client or legal guardian which laboratory to go either to DLS and or DPHSS laboratory at Northern Regional Health Center.
 - iii. Utilizing Non-Invasive Masimo Hbg test for age 2 yrs and older.
 - a. Each client should be sitting and at rest
 - b. Hands should be placed on a desk.
 - c. Massimo device should be positioned on a flat surface at the level of the client's hand.



- d. Insert ring sensor on the left middle finger.
 - e. Reading is obtained following manufacturer direction.
 - f. If the Massimo tester fails to read bloodwork after two attempts, the participants' blood work may be taken on site using HemoCue or given a lab slip to either DLS or Public Health Lab.
- iv. Referral Data Source/Blood Work provided by the Medical Provider in writing.
- a. Blood work data that was obtained within 12 months may be accepted for all categories provided that the client's category remained the same from the date blood test was taken.
 - b. If blood test submitted indicates anemia, and have been taken more than 6 months, another blood test must be performed or requested.

B. Blood Work Result Documentation

1. HANDS will not accept blood data > 90 days. Therefore, to document blood test data that was taken greater than 90 days and less than 12 months, proceed to HANDS medical screen and use pending lab code "not required".
2. If "not required" is selected, HANDS will not ask for another blood test until 6 months later. Clinic staff are to check when another blood test is needed within that 6 months period.
3. Document the blood test data under SOAP notes:
 - i. Objective: Write the date blood test was taken.
4. If Blood test is waived for medical and religious reasons
 - i. Document in HANDS under medical screen and select 3. MEDICAL CONDITION, 5. RELIGIOUS BELIEFS, or 4. SAFETY CONCERNS. Document under notes Objective why blood testing was waived.

C. Nutrition Education

1. NA shall provide education and refer participants based on hemoglobin value
2. For hemoglobin results below the "Anemia" cutoff value: The Nutrition Assistants (NA) provide nutrition education on food sources of iron and ways to increase iron absorption. Refer to Nutrition Assistant II for a medium risk appointment if the value is between the anemia cutoff and "refer to nutritionist" values. (see table below)
3. For hemoglobin results in the "Nutritionist" range: Provide nutrition education on food sources of iron and ways to increase iron absorption and refer to the Nutritionist for further evaluation. All participants with confirmed very low hemoglobin values are referred for an immediate medical evaluation, either with their primary care provider or, if unavailable, at an emergency medical center.

ANEMIA CUT-OFF VALUE REFERRAL CHART

Category	Refer to Community Nutritionist II	Refer to Nutrition Assistant II
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	Hemoglobin Value (g/dl)	
Infants 9-12 months	<8.0	8.0-10.9
Children 12-24 months	<8.0	8.0 to 10.9
Children 2-5 years	<8.3	8.3 to 11.0
Pregnant women 1 st trimester (0-13 weeks gestation)	<8.6	8.6 -10.9
Pregnant woman 2 nd trimester (14-26 weeks gestation)	<8.2	8.2 -10.4
Pregnant woman 3 rd trimester (27-40 weeks gestation)	<8.6	8.6 – 10.9
Postpartum/Breastfeeding Women 12-14.9 years-old	<9.3	9.3 – 11.7
Postpartum/Breastfeeding Women 15+ years-old	<8.9	8.9 - 11.9

*adopted from Arizona WIC anemia cut-off referral chart

D. Follow up Hemoglobin/Hematocrit Requirement

1. Infants who had a blood test done when they were less than 12 months of age shall have a follow-up blood test 6 months from the last blood test done
2. Children 12-60 months who had a blood test done shall have a follow-up blood test every 12 months if blood test was normal. Or at 6 months interval if the last lab test result was below standard
3. Pregnant women who had a blood test done do not need a follow up blood test if the test result was normal. A follow up blood test at 6 months shall be done if the last blood test result was below standard during the same pregnancy.
4. Post-partum non breastfeeding woman do not need a follow-up blood test after the initial blood test was performed.
5. Breastfeeding woman do not need a follow-up blood test if the initial blood test result was normal. For breastfeeding women recertified at 6-12 months postpartum who had a positive anemia screen result when tested after delivery shall have a follow-up test if the test was taken more than 6 months ago.

9. HEALTH ASSESSMENT

Policy:

Individuals applying for enrollment in the Guam WIC Program must have at least one (1) nutrition risk factor to be eligible for participation. The Local Agency will determine the nutrition risk of an applicant after a medical and nutritional assessment.

NOTE: When anthropometric and/or hematologic measurements are brought in from outside sources, height and weight must not be older than 60 days and hemoglobin / hematocrit must not be



older than 12 months and without changes in participant's category at the time test was taken.

USDA Criteria

The Territory of Guam has adopted the Risk Criteria developed by the Risk Identification and Selections Collaborative (RISC) Committee for the National WIC Association (NWA) and the Food and Nutrition Service (FNS) divisions of the USDA.

Guam Risk Criteria

A list of applicable risk factors, priorities, documentation requirements, and mandatory nutrition intervention is outlined in Appendix I of this chapter.

Other Risk Factors

A list of risk factors not currently recognized by the Guam WIC Program can be found in Appendix.

The competent professional authority (CPA) on staff at the Local Agency is responsible for determining nutrition risk and prescribing supplemental foods. Persons authorized to serve as CPAs are individuals who have documentation on file verifying that they have been trained in certifying participants and prescribing supplemental foods:

- Physicians
- Nutritionists (B.S., B.A., M.P.H. or M.S. in nutrition, dietetics, public health nutrition, or home economics with emphasis in nutrition)
- Registered dietitians
- Registered nurses
- Physician's assistants (certified by the National Committee on Certification of Physician's Assistant or certified by the State medical certifying authority)
- Dietetic Technicians Registered
- Trained paraprofessional (Nutrition Assistant I and II)

10. DIETARY ASSESSMENT

A diet assessment provides WIC staff with useful information to assess the participant's dietary intake, to identify nutrition risks and to provide counseling based on the assessment. Dietary risks will be assessed through the health history questions and nutrition questionnaires in the Nutrition Questionnaire screen in HANDS.

Identification and documentation of dietary risks



A complete dietary assessment is required at each participant Certification infants' mid-Certification health check. It is not required for participants who are transferring into the Guam WIC program or during category changes. If dietary risks **401 (Failure to Meet Dietary Guidelines for Americans – 2 years and older)** or **428 (Dietary Risk Associated with Complementary Feeding Practices)** or the broad categorical assignment of risk **411 (Inappropriate Infant Feeding)**, **425 (Inappropriate Feeding Practices of Children)**, or **427 (Inappropriate Feeding Practices of Women)** are identified, the reason for the dietary risk will be documented in the Notes button in the Care Plan screen in HANDS.

A complete dietary assessment and risk assignment will consist of the following:

- Complete the HANDS Health History questions.
- Complete the category-specific nutrition questionnaire in the HANDS Nutrition Questionnaire screen (see Appendix G).
- Manually assign any dietary risks that are identified through the questionnaires in the HANDS Health screen and document the reason for the assignment of the above-mentioned risks in the HANDS Care Plan screen. (For complete instructions, see Appendix G.)
- Assignment of Risks 401 or 428 should only be used after no other nutrition risk or dietary risk is identified for eligibility.

Instructions for completion of the HANDS Nutrition Questionnaire can be found in Appendix H of this chapter.

Dietary Risk Codes

Dietary criteria to assess risk indicators are current to USDA WIC Policy Memorandum 98-9, Revision 8 and Revision 9.

11. RISK IDENTIFICATION

Policy:

Applicants will be assigned all nutrition risks that apply, according to the Health And Nutrition Delivery System (HANDS) automated system and the Nutrition Risk Factor Manual.

Documentation

Documentation is required for certain nutrition and medical risks. These risks, as found in the Health screen in the HANDS system, require a physician's diagnosis and must be documented by the physician (Medical Doctor [M.D.] or Doctor of Osteopathy [D.O.]) or their assistant (Nurse Practitioner [N.P.] or Physician's Assistant [P.A.]). Applicants will be assigned all nutrition risks that apply, according to the Health And Nutrition Delivery System (HANDS) automated system and the Nutrition Risk Factor Manual.

Self-Reporting or Self-Diagnosis

Self-reporting of a diagnosis by a medical professional should not be confused with self-diagnosis, where a person reports to have or have had a medical condition, without any reference to a professional



diagnosis. A self-reported medical diagnosis such as “My doctor says that I have / my son or daughter has...” should prompt the CPA to validate the presence of the condition by asking more in-depth questions related to the diagnosis.

Self-reporting of “History of” conditions should be handled in the same manner as self-reporting of current conditions that require a physician’s diagnosis. The applicant may report to the CPA that s/he was diagnosed by a physician with a given condition in the past. Again, self-diagnosis of a past condition should not be confused with self-reporting.

12. PRIORTIES

Special Note

The priority which indicates the greatest level of risk will be used to certify the applicant.

Priority Categories for WIC services are the following:

Priority I

Pregnant and breastfeeding women and infants at risk based upon hematological or anthropometric measurements or other documented nutritionally-related medical condition. Women that are breastfeeding Priority I infants with risk other than 702 (breast feeding infant of a woman at priority I) or infants breastfed by Priority I women with risks other than 601 (breast feeding woman of an infant at priority I).

Priority II

Infants up to six (6) months of age born to women who participated in WIC during pregnancy. Infants up to six (6) months of age born to women who would have been WIC-eligible based upon hematological or anthropometric measurements or other documented nutritionally-related medical conditions. Women that are breastfeeding Priority II infants with risk other than 702 (breast feeding infant of a woman at priority I).

Priority III

Children and some postpartum women at risk based upon hematological or anthropometric measurements or other documented nutritionally-related medical conditions.

Priority IV

Pregnant and breastfeeding women and infants at risk due to inadequate dietary patterns.

Priority V

Children at risk because of inadequate dietary patterns.

Priority VI



Postpartum women at nutritional risk.

Priority VII

Participants who might regress in nutritional status without continued provision of supplemental foods.

Note: Regression may not be used for initial Certification, may not be used for infants, and may not be used consecutively as a reason for re-Certification. Regression can only be used twice in a five-year period.

Breastfeeding Women Who Quit Breastfeeding

Women who are categorically eligible for the WIC Program due to breastfeeding who quit breastfeeding can no longer be considered a participant in a breastfeeding priority and may not continue to receive benefits.

If her baby is under six (6) months of age, the woman must be screened to determine if she is eligible for an open priority as a postpartum woman, if a postpartum risk had not been previously identified for her. If she qualifies for an open priority, she may be enrolled in that priority. If priorities serving postpartum women are closed, the woman may be placed on the waiting list if she requests to do so. If the baby is older than six (6) months of age, the woman is no longer categorically eligible for the WIC Program and must be terminated. **She will also be given a copy of the HANDS generated termination notice.**

If an infant is on the program with Risk 702 (Infant being breastfed by a woman at nutritional risk) as the only identified risk, the infant will need to be reassessed for Certification and issued a new food package, if appropriate.

Transfers (After Certification)

At the end of their current Certification period, the person would be reassessed and one or more of the following appropriate actions would be taken:

- Placed on the program if they qualify for an open priority
- Placed on the waiting list if they qualify for a closed priority, if the person requests placement
- Graduated from WIC
- Terminated if found ineligible
- Referred to other appropriate programs

Dual Participation

A person may be on the waiting list for CSFP (if it exists) and WIC at the same time. A person may receive benefits from one program while being on the waiting list for the other program. A participant's ID number will be the same for both programs.

Notification of Referral Agencies



Agencies that refer applicants to the WIC Program will be kept informed of any actions taken by the Local Agency to adjust caseload (see sample letter in Appendix). This may include identifying categories of applicants still being served and would include encouragement to those agencies to keep making referrals to the WIC Program. Referring agencies are to be made aware that even when some people are not being served, others may be eligible to receive benefits immediately.

13. WIC RIGHTS AND OBLIGATIONS

WIC Rights and Obligations

Participants must be informed of their WIC Rights and Obligations at every Certification and transfer. This information must include.

- Explanation of the WIC Rights and Obligations Form
- Availability of Health Services
- Food Delivery System

Documentation

The manual certification/signature form is used to document certification for participation of the client with a signature which indicates that the client's Rights & Obligations and the Right to Appeal have been communicated according to the requirements of the WIC program. The manual form is for use when the HANDS automated client database is not operating or accessible.

- The manual form will be used to enter client information into HANDS when operational again. Clinic staff will then upload the completed manual form with signatures into HANDS and discard the completed manual form. A note will be entered into the Staff Alert client notes.

The HANDS application certification/signature form similarly has the Rights & Obligations and Right to Appeal information which can be printed for the client to take home after signing through the electronic signature pad. An electronic copy is retained in the HANDS client database.

For applicants determined eligible to participate in WIC, **in a language the participant understands (printed copies in various languages are available at all WIC sites)**, the certifier will provide an explain of the content of the Rights & Obligations Form and Right to Appeal, including:

WIC Rights & Obligations

During every certification procedure, every Program applicant, WIC authorize representative, parent or caretaker shall be informed of the illegality of dual participation.

At every certification, each Program participant, WIC authorized representative, parent or caretaker **must read, or have read** to him or her the information below:



- Participants shall be informed of their WIC Rights and Obligations at every Certification and transfer, in their preferred language.
- Health Information confidentiality
- Fair Treatment
- Honesty
- Accuracy of information reported to WIC
- Good use of the program
- Protect your Benefits

In addition, the following sentences (or alternate sentences as approved by FNS) must be read:

- “Standards for eligibility and participation in the WIC Program are the same for everyone, regardless of race, color, national origin, age, handicap, or sex.”
- “You may appeal any decision made by the local agency regarding your eligibility for the Program.”
- “The local agency will make health services, nutrition education and breastfeeding support available to you, and you are encouraged to participate in these services.”

NOTE: Separate forms may be used for Foster children who don’t qualify the rest of the family for WIC.

Availability of Health Services

In a language that the participant understands, the certifier will discuss the availability of health services, including

- The types of health service
- The types of referral services
- The location of service
- How services are obtained
- The reason why services are useful

Food Delivery System

In a language that the participant understands, the certifier will discuss the food delivery system, including:

- Which foods are authorized for purchase with WIC Food Instruments
- Authorized Guam WIC vendors
- How to use the Food Instruments (EBT card):
 - Food Instruments will only be used at Guam WIC authorized vendors.
 - Food Instruments will be used to purchase only those foods in the quantity (and / or brands) specified on the Food Instrument
 - Food Instruments cannot be exchanged for cash, non authorized food items, or credit.



- Food Instruments will be used between the “first day to use” date and “last day to use” for each participants benefits
- Participant must inform cashier that they will be using WIC EBT.
- WIC foods will be separated from other foods and according to each Food Instrument.
- The participant should verify amount & date of use written on the grocer receipt
- The EBT card will require a PIN in order for the cashier to finalize the transaction. Participants should not provide the PIN to the cashier, but instead enter the PIN themselves.

14. **WIC VOTER REGISTRATION**

WIC Voter Registration

Not Currently Applicable to Guam

- The voter registration process is separate from the WIC program eligibility process
- An interview is not necessary to register to vote in Guam.
- Select “not applicable” for the HANDS application voter registration field in not already indicated and move on the next field.

Guam Voter Registration Form

Not Applicable in Guam

WIC Program Offer of Voter Registration Form

Not Applicable in Guam

HANDS Documentation

Not Applicable in Guam

15. **WIC RULES AND REGULATIONS AND EDUCATION**

Documentation

Documentation of education and WIC Rules & Regulations (i.e. also referred to as the Rights & Obligations) must be done at every Certification. This documentation is retained in HANDS for each participant when the signature pad is signed in the certification module.

Education

In terms and language that the participant understands, **the certifier** will:



- Explain the risk factor(s) which make(s) the participant eligible for WIC
- Develop an individualized S.O.A.P formatted nutrition education plan in the HANDS notes which identifies behavioral changes needed for improvement and progress towards those goals
- Provide nutrition education to the WIC participant using PCE skills learned during job training for counseling WIC participants which is based on individual nutrition/health needs and risks
- Make referrals based on financial, health and nutrition risks and needs

WIC Rules and Regulations

At each Certification, participants will be informed of the WIC Rules and Regulations, which include:

- The duration of the Certification period
- An explanation of why the participant is qualified by income, category and nutrition risk

An explanation of the food package and how these foods can improve their health status

- An explanation of how to use their EBT card and how to protect their PIN.
- Option to report problems with a WIC vendor, WIC participant, WIC employee or WIC fraud by calling: 475-0300, 475-0291, 475-0292, 475-0288 or 475-0287.

Food Instrument (EBT) card security and how to reset the PIN

- Participants / Authorized Representatives will keep scheduled appointments or notify Local Agency staff if unable to do so.
- Option to use of a Secondary WIC Authorized Representative and proxy
- Verification of marks if the applicant cannot write his or her name.
- *We do not require participants to bring their receipts to their appointments; however, we can **encourage them to review** receipts from WIC purchases to ensure that appropriate items were charged.*
- An explanation of how to check their family food benefit balance at anytime during the month.

16. REFERRALS

PURPOSE

To established a guideline to Guam WIC staff in referring WIC clients to appropriate agencies for other needed services. This is policy is in compliance with the Title 7 CFR section 246.4 State Plan.

POLICY

- A. In accordance with the Affirmative Action Plan articulated in Title 7 CFR section 246.4 (a)(5) State Plan and section 246.4 (a)(7), Guam WIC shall refer participants to appropriate health programs and services based on the client's needs beyond the required mandatory program referrals.

**VIII. CERTIFICATION, ELIGIBILITY & COORDINATION OF SERVICES**

- B. All WIC participants or their Authorized Representative or Legal Guardian shall be referred to the following agency as needed. Guam WIC participants are referred but not limited to the following agencies and health partners:
1. Supplemental Nutrition Assistance Program (SNAP)
 2. Temporary Assistance for Needy Families (TANF)
 3. Medicaid / Medically Indigent program
 4. Child Support Enforcement
 5. Immunizations
 6. Guam Behavioral Health and Center Drug and Alcohol Program
 7. Identified Primary Health Care Provider
 8. Community Health Centers
 9. WIC Breastfeeding Peer Counselor
 10. Expanded Food Nutrition Education Program (EFNEP)
 11. Guam Early Interventions geis@gdoe.net or sped@gdoe.net
 12. Head Start
- C. Guam WIC shall keep an updated list of agencies in the community for potential WIC participant referrals. Guam WIC uses the “When WIC is Not Enough” * handout which provides the following information:
1. Program Name
 2. Brief description of who may be eligible for program services
 3. Address/Phone number
 4. Days and hours of service
- D. All referrals shall be documented at every certification of participants and recorded in the individual Care Plan Record of WIC Information System HANDS.

PROCEDURE**A. Criteria for Referral**

SNAP (i.e. Food Stamps)	All potentially income eligible WIC applicants/participants that are not already enrolled in SNAP are to be referred after describing the service to them and providing them with written materials containing the SNAP office location, contact information, and income eligibility guidelines.
Temporary Assistance for Needy Families (TANF)	All potentially income eligible TANF WIC applicants/participants that are not already enrolled in TANF are to be referred after describing the service to them and providing them with written materials containing the TANF office location, contact information, and income eligibility guidelines.
Medicaid	All potentially income eligible Medicaid WIC applicants/participants that are not already enrolled in Medicaid are to be referred after describing the service to them and providing them with written materials containing the Medicaid office location, contact information, and Income eligibility guidelines.
Guam Bureau of Family & Nursing services	Pregnant women, infants and children with no private healthcare provider, such as for regular health checks, should also be given appropriate program and income limit information and referred to the



	Guam Bureau of Family Health & Nursing services (DPHSS) where they can be further assessed for Medicaid eligibility.
Child Support Enforcement	when parents of child WIC participants aren't together and court ordered support payments that are not being made
GBHWC Drug and Alcohol Program	All WIC clients who discloses some form of substance use disorder and are willing to get help.
Immunizations	all children under age 2 and others not meeting immunization recommended standards
HealthCare Providers/ Community Health Centers	all children under age 5 and others not meeting recommended nutritional health standards

B. Referrals to other agencies and other providers

1. Staff locates specific agency referral form in WIC Clinic Shared Files>2023 WIC FORMS.>REFFERAL FORMS
2. WIC clinic staff are to complete and submit referral form(s) to that corresponding referred agency.
3. Clinic staff shall give instructions to the participants and provide a copy of the referral form.
4. Clinic staff will email and or fax the referral to the respective agency.

Documentation

Documentation of referrals must be done at every Certification. This documentation must be recorded in the Care Plan screen of HANDS for each participant.

WIC List of Referrals

All WIC Agencies keep an updated list of agencies in the community for potential to which they refer WIC participants who may have a need. Guam WIC uses the “**When WIC is Not Enough**” * handout which provides a minimum of the following information:

***NOTE:** Health Educators will review and update the “**When WIC is Not Enough**” handout annually and make needed revisions to assure accuracy and usefulness of the handout.

- Program name
- Brief description of who may be eligible for program services
- Address/Phone number
- Days and hours of service

WIC referral handouts should also be supplemented with other agency produced resources as appropriate especially supplemental handouts, as available, from the agency(ies) being referred to which indicate the program's income guidelines. This is mandatory for referrals to the Medicaid program (CFR 246.7 certification of participant's (b)(1))



Release of Information

An applicant or participant requesting information be sent to a third party or organization, i.e., a doctor or a health maintenance organization, must sign a release form (**see CECS Appendices**).

WIC applicants shall be advised of when WIC will share confidential information as noted on the certification form which is signed during enrollment in the WIC program. Use and disclosure of information about their participation in the WIC Program for non-WIC purposes may be used by WIC agencies and public organizations for the purpose to administer their programs that serve persons eligible for the WIC Program.

- **WIC agencies restrict the use and disclosure of confidential applicant and participant information to persons personnel from its local agencies and other WIC State or local agencies;** persons under contract with the State agency to perform research regarding the WIC Program, and persons investigating or prosecuting WIC Program violations under Federal, State or local law.
- **Access to information by applicants and participants.** WIC agencies must provide applicants and participants access to all information they have provided to the WIC Program. In the case of an applicant or participant who is an infant or child, the access may be provided to the parent or guardian of the infant or child, assuming that any issues regarding custody or guardianship have been settled.
- **Non-WIC purposes.** Any WIC State or local agency may use confidential applicant and participant information in the administration of its other programs that serve persons eligible for the WIC Program in accordance with paragraph (h) of this section. CFR 2017: 246.26 (h) pages 467-468.
- **Disclosure to public organizations.** The State agency and its local agencies may disclose confidential applicant and participant information to public organizations for use in the administration of their programs that serve persons eligible for the WIC Program – those organizations are listed on the rights and responsibilities form. CFR 2017: 246.26 (h) pages 467-468.
- **Child abuse and neglect reporting.** Staff of the State agency and its local agencies who are required by State law to report known or suspected child abuse or neglect may disclose confidential applicant and participant information without the consent of the participant or applicant to the extent necessary to comply with such law.

17. **INELIGIBILITY**

Notification of Ineligibility

The applicant will be given the Guam WIC “Notification of Ineligibility” (see Appendix) which states the reason (see below) for the determination and how to appeal the decision. The applicant must sign the letter, indicating that they understood why they are not eligible. This documentation is to be kept in the agency’s central log file and available for review as needed.

- Categorical ineligibility
- Residence outside of Guam



- Income above maximum allowable income
- Other: The specific reason must be noted

Information about Reapplication

Applicants will be informed on how to reapply for the WIC Program if conditions change or they obtain the necessary documentation.

Right to Fair Hearing

Applicants who are denied WIC services must be notified of their right to appeal.

If a WIC applicant does not agree with a decision and wishes to appeal, he/she may present their appeal request orally or submit it in writing or seek the assistance of the clinic staff to write their appeal request for a **Fair Hearing** within (20) calendar days for an informal dispute resolution meeting or sixty (60) calendar days for a fair hearing of receiving the ineligibility notice. The request must include the facts he/she believes entitle him/her to relief, and the relief sought. Refer to the attached Guam WIC Program Fair Hearing Procedures.

- At a fair hearing, a WIC client or applicant has the right to self-representation or to be represented by a relative, friend, legal counsel or other spokesperson. They have the right to bring witnesses. The participant is entitled to introduce arguments, question or refute any testimony or evidence, including the opportunity to confront and cross-examine adverse witnesses as well as submit evidence to support their case.

Timeline

For those participants who become ineligible to continue participation in the Guam WIC program, the following will occur:

- The State Agency will notify participants at least fifteen (15) calendar days prior to the effective date of their ineligibility in writing as needed.
- Local Agencies will notify participants at least fifteen (15) calendar days before the expiration of each Certification period that their WIC Certification is soon to expire.
- A person who is about to be disqualified from program participation at any time during a Certification period will be advised in writing no fewer than fifteen (15) calendar days before the disqualification except in cases where immediate termination is mandatory.

18. AUTHORIZED REPRESENTATIVE

Policy

An Authorized Representative can be one of the following:

- Parent(s)
- Caretaker
- Legal guardian
- Relative with whom the participant lives
- Spouse or significant other



- Individual who has significant knowledge of family history of the participant

The primary Authorized Representative has the right to identify a second Authorized Representative during any point while in a valid Certification, but is not required to designate one. The primary and secondary Authorized Representatives shall have access to the family's WIC records. In order to have rights and access to the family's WIC records, an individual must be recorded as an Authorized Representative and/or Proxy in the HANDS file. (Refer to Proxy procedures below).

All Authorized Representatives who will cash Food Benefits shall be instructed on the Rules and Regulations of the WIC Program, including how to use WIC Food Benefits. The education shall be documented on the Food Package screen in the Issuance section of HANDS.

The Authorized Representative(s) are required to sign the following during a WIC Certification:

- 1.) The WIC Rights and Obligations signature type in HANDS

NOTE: The WIC Rights & Obligations shall be completed in the clinic.

19. **PROCEDURES FOR NAMING AUTHORIZED REPRESENTATIVES**

A. If two Authorized Representatives are present at Certification visit:

- Request identification (ID) from both Representatives and enter their names into HANDS on the Family screen, including what proof of ID was seen.
- Both Representatives sign the WIC ID Folder and Rights & Obligations signature type in HANDS.
- For eWIC clinics only Rights & Obligations signature type in HANDS will be signed by both Representatives.
- Explain the WIC Rules & Regulations, including WIC-eligible foods and how to cash Food Benefits/use eWIC card, to both Representatives. Staff shall ask questions to verify the Representatives' understanding of how to use the Food Benefits, especially the Cash Value Vouchers.
- Document the education in the Food Package Issuance screen in HANDS.

B. If the Authorized Representative names a secondary Representative who is not present:

- Staff will add the first and last names of second authorized representatives in the appropriate fields on the family screen, and will select the "Need ID – 2nd AR/Proxy Only" from the Proof of Identity drop down list.
- Staff may enter a Staff Alert stating 2nd AR needs to show ID. However, no names shall be entered into the note. Names are not to be added to notes to insure confidentiality.

C. If only one Authorized Representative is present at a subsequent visit but there are currently two representatives for the family:

- Request an approved form of ID from the Representative who is present and enter that name in the Family screen in HANDS as well as select what proof of ID was seen.
- Prior to the second Authorized Representative utilizing the Food Benefits/eWIC card, the second Representative shall return to clinic at any time during the valid certification period, bringing an approved form of ID. The second Representative's name and proof of ID is then put into HANDS on the Family screen.



- The second Representative shall sign the Rights & Obligations signature type in HANDS and be educated on the WIC Program.
- The WIC Staff shall explain to the second representative how to use the Food Benefits and the Rules and Regulations and document in Food Package Issuance screen in HANDS.
- If eWIC card is lost, participant will need to notify WIC clinic for a replacement card.
- The second Authorized Rep shall sign the Rights & Obligations signature type in HANDS and be educated on the WIC Program Rules and Regulations.

D. Change of Authorized Representative during a Certification period (i.e. Change of Guardianship and/or Custody).

When an Authorized Representative of a WIC participant changes during a Certification period (i.e. change in guardianship and/or custody) stating that the infant/child is currently under their care, the clinic may issue up to 3 months of Food Benefits to the infant/child if ALL of the five (5) following conditions are met:

- 1.) The new Authorized Representative shall bring the infant/ child participant to the WIC appointment. If they do not bring the infant/child to the clinic, they are to be rescheduled.
- 2.) The new Authorized Representative shall show proof of the infant/child's ID. If ID is not available, the staff can issue one month Food Benefits and have the Authorized Representative return the following month with the appropriate documents.
- 3.) The new Authorized Representative shall SIGN the Change of Authorized Representative form declaring that they are caring for the infant/child and an explanation of the circumstances that led them to becoming the caretaker (See Appendix O for Change of Authorized Representative Form).
- 4.) The WIC staff will assist the new Authorized Representative with the written statement if they are unable to write, and he or she shall sign the statement or make their identifying mark.
- 5.) The income of the new Authorized Representative shall be verified by WIC staff to ensure it meets the WIC eligibility criteria.

PROCEDURE:

A new Family ID number will be created in HANDS to accommodate the new Authorized Representative's demographic information. (This procedure needs to occur even when the former and new Authorized Representatives are from the same household. This is not the same as a Proxy situation.) The infant/child will be transferred into this new family.

The procedure is as follows:

- 1.) In HANDS, identify the correct participant to be moved into the new family. Go to the client screen.
- 2.) If the new Authorized Representative already has a HANDS record, select "transfer client" from the Client screen of the person to be transferred and select "existing family." Search for the family you wish to transfer them into. Click the correct family and select "transfer client." The participant is now in the new family.
- 3.) In HANDS, identify the correct participant to be moved into the new family. Go to the client screen.
- 4.) If the new Authorized Representative does not have an existing record in HANDS, select "transfer client" from the Client screen of the person to be transferred, and select



“new family.” You will then be taken to a blank Family screen. Enter all information for the new Authorized Representative. Click save. The participant is now in the new family.

5.) Proceed with transaction.

NOTE: The new Authorized Representative’s income shall be verified and documented.

6.) The new Authorized Representative shall sign the WIC Rights and Obligations signature type in HANDS. For eWIC clinics, only one eWIC card will be issued per family.

7.) The WIC staff member shall also document in the Notes screen in HANDS using note type “General” as to the change in the participant’s Authorized Representative situation.

NOTE: Do not include name(s) or other identifying information of current or previous authorized representatives in the notes section of HANDS.

Proxies

Policy

Participants/Authorized Representatives are encouraged to keep their appointments.

The Guam WIC Program recognizes that the above is not always possible and will allow participants/Authorized Representatives to designate up to two (2) Proxies at Certification or anytime during their Certification period to pick up their Food Benefits. Proxies may attend WIC appointments only when an Authorized Representative cannot. A Proxy can be used only once in a Certification period and pick up only one (1) month of Food Benefits per Certification on behalf of the participant/Authorized Representative; however, the Proxy can pick up Food Benefits for more than one WIC client.

The Proxy does not have access to the WIC family record and cannot make/change appointments. Whenever the Proxy(ies) are named, whether at Certification or during a Certification period, the Proxy name(s) shall be entered into Proxy section on the Family screen in HANDS, and the proof of identity documented.

A Proxy:

- Shall accept training on program requirements, be given an explanation of their responsibilities and how to use the Food Benefits to purchase authorized WIC foods only. This is documented by having the Proxy sign the Proxy Form signature type found on the Family screen in HANDS.
- May do the shopping for the WIC participant or pick up and give the Food Benefits to the participant/Authorized Representative to use.

Procedure

Proxy identified at Certification

- Local Agency staff will ask the participant/Authorized Representative if they would like to identify up to two (2) persons to serve as a Proxy at any time during their Certification period.
- Staff will explain the role of a Proxy to the participant/Authorized Representative. The Authorized Representative shall be informed that one (1) Proxy can attend only one (1) WIC appointment during the Certification.



- Staff will add the first and last names of proxies identified by the participant/Authorized Representative at Certification in the appropriate fields on the family screen, and will select the “Need ID – 2nd AR/Proxy Only” from the Proof of Identity drop down list.
- Staff may enter a Staff Alert stating proxy needs to show ID. However no names shall be entered into the note. Names are not to be added to notes to insure client confidentiality.
- Proxies will not need to bring a note to the clinic at the time of their visit if they have already been named. They will, however, need to show proof of ID by providing one of the documentation types found on the Family screen of HANDS and the staff will document the proof of ID that was shown. They can pick up Food Benefits for the entire family.

Proxy added at any time other than Certification:

- The Proxy shall bring a signed note from the participant/Authorized Representative. The note will state that the Proxy has permission to obtain the Food Benefits and for which family members.
- Local Agency staff will verify that the signature on the note matches the participant’s/Authorized Representative’s signature will be matched to the signature provided at time of Certification that is in HANDS.
- The Proxy will need to show proof of ID by providing one of the documentation types found on the Family screen of HANDS and the staff will then add their name to the Proxy section of the Family screen and document the proof of ID that was shown.

Designated Proxy(ies) shall be assigned as a Proxy in the Family screen of the participant’s HANDS record.

The Local Agency staff shall:

- Add the person or persons’ name(s) in the Proxy section. If the family already has two (2) Proxies named, delete one of the names in order to add this new Proxy’s name and document what was shown by the Proxy as proof of ID.
- Document any comments relevant to the Proxy assignment and/or issuance in the Notes screen (do not include any names).

Whenever Food Benefits are issued to a Proxy (regardless if they will shop for the WIC foods), the Local Agency staff shall:

- Document in each individual clients’ HANDS record on the Notes screen, noting which Food Benefit Months were picked up by the Proxy and the date of Food Benefit pick-up.
- Provide the Proxy with the same training on WIC Program requirements that is required for participants/Authorized Representatives.
- Have the Proxy sign the Proxy Form signature type found on the Family screen in HANDS. This allows for permanent record of their understanding of the WIC rules regarding Proxies (shop only at Guam WIC Authorized vendors, buy only the foods listed on the Food Benefit, give all the foods to the participant, save and give the receipts to the participant, and use the Food Benefits during the valid dates.)
- Have the Proxy sign, in ink, with their normal signature, the Food Benefit signature page.

eWIC Clinics:



- Participant will provide Proxy with the eWIC Card along with PIN for them to take to a WIC authorized vendor and use the WIC Food Benefits.

Reports for Analysis of Program Participation

This report lists participation by priority at the bottom of the page. The average percent by which the initial numbers drop to the closeout (month-end) figures may be calculated and used monthly to adjust the initial numbers with greater accuracy. By looking at the number of participants in each priority, a determination can be made regarding how many and which priorities must be served or closed in order to reduce caseload to the assigned numbers.

Participant Status Report

This report shows the number of Certifications new to the program and in-state and out-of-state transfers which occurred in the previous month. It can be used to project the approximate number of new applicants who may be added to the program in the coming month.

Termination Report

This report shows the number enrolled in each priority (whether open or closed) who are due for a new Certification or termination for each of the next four (4) months. Use this to determine how quickly the caseload will drop due to the closed priorities. This can also be used to determine how many openings will be available monthly in the open priorities.

20. WAITING LIST

Policy:

When the number of participants receiving Food Instruments each month exceeds the State Agency's assigned caseload (if it has been assigned), a waiting list may need to be initiated, following approval from the Guam WIC Director. The lowest priority is closed first, the second lowest priority is closed next, and so on. Applicants are put on a waiting list until the priority is reopened (see Appendix for Waiting List Notification form). When a closed priority is reopened, applicants are enrolled in a chronological order on the basis of the date of initial contact.

The Local WIC sites will work with the State Agency to implement these procedures.

Determination of Priority Closing

Managing Caseload

When the actual caseload numbers begin to exceed the assigned caseload numbers, priorities will have to be closed. The State Agency will plan how many priorities need to be closed with technical assistance from the Western Region WIC office.



VIII. CERTIFICATION, ELIGIBILITY & COORDINATION OF SERVICES

After planning how many priorities should be closed, the Guam WIC Director will approve any priority closures before closing the priorities. This will allow additional review of caseload numbers by the State Agency and the impact from adjustments to insure that the least amount of disruption to customer service occurs.

Predicting Caseload

In order to determine the priorities that must be closed, use the Participation by Race and Ethnicity, Participant Status and the Termination reports in the Financial Management module of the HANDS system. These reports will also assist in monitoring the caseload as the actual caseload numbers begin to adjust. Monitoring needs to occur monthly in the event that a waiting list is initiated.

Waiting lists

When the Guam State Agency is serving its maximum caseload, it shall maintain a waiting list of individuals who visit WIC sites to express interest in receiving Program benefits and who are likely to be served. However, in no case shall an applicant who requests placement on the waiting list be denied inclusion.

Telephone requests for placement on the waiting list will not be entertained. The waiting list shall include the person's name, address or phone number, status (e.g., pregnant, breastfeeding, age of applicant), and the date he or she was placed on the waiting list. Individuals shall be notified of their placement on a waiting list within 20 days after they visit the local agency during clinic office hours to request Program benefits. The competent professional authority shall apply the participant priority system as appropriate to the waiting list to ensure that the highest priority persons become Program participants first when caseload slots become available.

Priorities

Priorities are closed from the lowest to highest priority or sub-priority; i.e., priority VII would be closed first, followed by priority VI, etc. When opening priorities, the highest priority will be opened first; i.e., priority V would be opened before priority VI.

Processing of Applications

10/20 Day Rule

Applicants that are categorically eligible for open priorities are still screened within ten (10) calendar days (pregnant, infants under six (6) months, or migrant) or twenty (20) calendar days (all others) from the time they request clinic services. Notification of the placement on a waiting list must be given within twenty (20) days.

Waiting List Procedures

Information which shall be collected for each applicant on the waiting list, according to Federal Regulations, includes:

- Name



VIII. CERTIFICATION, ELIGIBILITY & COORDINATION OF SERVICES

- Address
- Telephone Number (if applicable)
- Status (i.e., pregnant, breastfeeding, age of applicant)
- Date placed on waiting list

Once the Guam WIC Program Waiting List Notification form (see Appendix) is completed, a copy is given to the applicant and the original is placed in the waiting list file.

Optional information may include that which will assist in determining the approximate date on which the person may become categorically ineligible such as:

- date of birth,
- actual delivery
- date or estimated delivery date.
- Program Considerations

Pre-Screening

The amount of screening which may be done prior to placement of an applicant on the waiting list will be determined by the category of the applicant in relation to the open priorities and the Local Agency resources.

Local Agencies that have closed priorities which are not likely to be served do not have to maintain waiting lists except in the case of a person who understands that the likelihood of that priority being opened is low and still requests placement on the waiting list.

The Local Agency will explain to each applicant who may qualify for a currently closed priority the likelihood that the priority will be opened.

Examples:

- The State Agency strongly recommends that the Local WIC site perform income screening prior to placement on the waiting list.
- If an agency has closed all priorities up to and including Priority III, there would be no need to screen a postpartum woman or a child because all the priorities for which they could be eligible are closed.

Note: If an applicant is categorically eligible for an open priority or sub-priority, the person will be screened. If the person is found to be eligible, they will be enrolled in that open priority.

Files

The State Agency suggests the following system. However, if a WIC site wants to adopt a different system, it must meet the same standards of all records and guarantee that applicants and participants are served with nondiscrimination practices throughout the agency.

- A separate filing system will be set up for the waiting list.
- A separate section for each priority that is closed will be established.
- A copy of the “Guam WIC Program Waiting List Notification” shall be placed in the file for each person, in chronological order, with the form with earliest date of placement on the waiting list first.
- If the screening process has begun, any paperwork completed thus far (i.e., Rights and Obligations Form) shall be firmly attached to the copy and placed in the appropriate priority’s file.



- When that specific priority is reopened, the applicant with the earliest date of placement on the waiting list is the first to be notified, the second earliest date is notified, and so on.
- These files will be accessible and clearly labeled for management and audit purposes.

Notification/Recall from Waiting List

Notification must be completed by telephone or mail, with documentation including the date notified and the form of contact (i.e., letter or phone).

If notification is mailed, the postcard or letter will state either:

- An actual appointment date to be screened with a notice to contact the office if they do not want to or are unable to keep the appointment
or
- A date by which the person must contact the office to make an appointment

The notification form will contain a statement that the person will be moved to the bottom of the waiting list if they do not respond to the notification.

Date of Ineligibility

The date of perceived ineligibility may be written on the “Guam WIC Program Waiting List Notification” to aid in file management. For example, if a child will reach his fifth birthday soon, the file would be terminated on the birth date if the priority remains closed.

False Expectation

The WIC staff person will always explain why placement on the waiting list is necessary, and what it means in terms of realistic possibilities of receiving benefits.

The Local WIC site supervisor will provide training and scripts for clerks and / or Nutrition Assistants to perform this task accurately and with comfort.

Referrals to Other Programs

Applicants who are placed on a waiting list will be referred to other appropriate programs (i.e., food assistance programs such as CSFP [where available], Head Start, etc.)

21. TRANSFER OF CERTIFICATION

Transfer Card / VOC

When a participant indicates they may be moving outside of Guam, a completed Guam WIC Program Verification of Certification (VOC) document should be printed from HANDS and given to them. The participant can use this document to transfer to other State WIC program agencies.

Local Guam WIC sites receiving transfers from WIC Agencies outside of Guam will accept as verification of Certification for the Guam WIC Program.



Verification of Certification (VOC) documents from other states.

Each transferring participant must sign the Rights and Obligation form at the local Agency receiving the transfer. A document containing the following information is to be considered a valid VOC:

- Name of participant
- Beginning date of Certification
- Ending date of Certification
- Date of income determination
- Participant's nutrition risk
- Normal signature and full printed / typed name of the certifying Local Agency official
- Name and address of the certifying Local Agency
- An identification number or other means of accountability
- Identification of migrant status

Incomplete Verification of Certification (VOC)

A partially complete VOC will be considered proof of WIC eligibility if it contains the following information:

- Name of participant
- Beginning date of Certification
- Ending date of Certification period
- Name and address of the certifying Local Agency

Retention of VOC/ Rights and Obligations

Local Agencies will retain the VOC from the transferring agency and the signed Rights and Obligation form in the daily file or participant's file.

Transfer When a Waiting List Exists

An individual transferring into a Local Agency will be allowed to participate (unless there is a waiting list for all priorities) until the designated end of their current Certification period.

Local Agencies that have waiting lists will

- Place transferring participants at the top of the list and enroll them before any other person or
- Enroll transferring participants immediately if some priorities are being served

Special Conditions for Infants

Infants transferring to the Guam WIC Program from State agencies with shorter Certification periods than Guam will have their Certification extended to their first birthday when the nutrition risk criteria on the VOC match the Guam criteria for Priorities I and II. If no nutrition risks are indicated on the VOC, the Certification period given on the VOC will be used.

Transfers (Valid Certification Period)



Transfers who contact a Local Agency requesting services and who are currently in a valid Certification period shall be placed on the program immediately or at the top of the waiting list if the program is not enrolling new applicants. The transfer is placed on the waiting list ahead of all waiting applicants, regardless of the priority under which he / she was initially certified. The transferring participant must then be enrolled before any other person.

Documentation of valid Certification shall be a verification of Certification (VOC) card which includes:

- The name of the participant
- The date the Certification was performed
- The date income eligibility was last determined
- The nutrition risk condition of the participant
- The date the Certification period expires
- The signature and printed or typed name of the certifying Local Agency official
- The name and address of the certifying Local Agency
- An identification number or some other means of accountability

Note: Participants who arrive in a new service delivery area and show an incomplete VOC card which contains a minimum of the name, Certification beginning date and expiration date will be treated as if the VOC card contained all the information. The Local Agency will call the original agency to verify if Food Instruments had been issued within the last thirty (30) days.

In-State Transfer

For transfers within the Guam WIC Program between local WIC sites:

The Local Agency to which the participant is transferring will:

- Verify active status using the HANDS system. Lost documents will be noted in the Notes section of the Family screen of the HANDS system
- The Guam participant may continue to use his/her current EBT Card.

Out-of-State Transfer into Guam

For out-of-state transfers within a valid Certification period, the Out-of-State Transfer screen of the HANDS system will be completed, the Rights and Obligation form signed and the VOC will be uploaded into their HANDS file. When a client calls the clinic and states that they are transferring in from another state's WIC program:

- Use the Pre-Certification screen in HANDS in order to make them an appointment.
- When they come to the clinic for their Certification appointment, go directly to the Out-of-State Transfer screen, enter the Family ID number by typing it in (only if you looked them up in the Client / Family Search screen and found an pre-existing family file).
- Complete the Out-of-State Transfer questions and assign and issue WIC benefits.



For out-of-state **transfers outside a current Certification period**, a new Certification will be completed.

If a participant is transferring to a WIC Program in another state, the other state may request information about the incoming participant. The requested information will be faxed or emailed to the requesting program upon receipt of the request from the other state's WIC program. The request form must contain:

1. The name of the participant
2. The date of birth
3. The requesting agency's name, address, Fax number, contact phone number, and email address.
4. The printed name of the requesting WIC staff person and their signature.

WIC Overseas

When participants are transferring **from** WIC Overseas, Guam WIC will utilize their signed Verification of Certification (VOC, also called a Participant Profile Report) and transfer them into our program. The Out-of-State Transfer screen in HANDS must be completed, the Rights and Obligation form signed and the Local Agency will retain the VOC form in their daily or central file. If the participant does not have a VOC, contact **Margaret Applewhite at WIC Overseas [1(877)267-3728]** and she can look up the VOC information within 24 hours. If the applicant is not in a valid Certification period, they will begin a new Certification period if still eligible.

When participants are transferring **to** WIC Overseas, participants will use their Guam WIC Program ID as their VOC or a VOC can be printed from the HANDS system.

22. CASELOAD REDUCTION DUE TO FUNDING SHORTAGES

Use of Waiting Lists

The State Agency will notify Local Agencies of the need to remove a certain number of participants from the program and initiate a waiting list when a funding shortage occurs. If funding shortages become so acute as to necessitate removing participants from the program in the middle of their Certification periods, participants will be given a full food package and thirty (30) calendar days written notice that they are being taken off the program. This written notice will also include the categories of participants whose benefits are being suspended or terminated due to such funding shortages.

Participants will be removed from the program in reverse priority order. That is, those in the lowest priorities will be taken off first and placed on a waiting list following established procedures.

When funding is available to serve additional participants, the persons on the waiting list will be recalled in priority order.

Note: In the case of a waiting list implementation, Local Agencies may not remove participants from the program in the middle of their Certification periods without written approval from the Guam WIC Director.

23. DUAL PARTICIPATION, PARTICIPANT RIGHTS AND RESPONSIBILITIES, FAIR HEARING PROCEDURES AND SANCTION SYSTEM



1. Dual Participation (Guam WIC local sites and CNMI WIC)

Dual Participation (Guam local WIC sites and Commonwealth of the Mariana Islands (CNMI) WIC)

a. The State Agency procedures to prevent and detect dual participation within Guam's local WIC agencies and between Guam WIC and CNMI WIC are as follows:

- i. Semiannually, the State level WIC QA designated individual will monitor Dual Participation by running a report from the HANDS WIC Services reports. Report results shall be communicated to the local WIC supervisors.
- ii. The HANDS report for each WIC clinic site will be reviewed for suspected clients demonstrating possible dual participation at the clinic site. The clinic supervisors will make clerical corrections in participant files as needed and verify suspected dual participation. Correction for dual participation include the deletion of clients who may be dual participating from all but one WIC site as needed.
- iii. To assess dual participation through HANDS, the QA monitor will go to the HANDS main menu click on the WIC Services drop down menu. Then select Dual Enrollment/Participation and run the report.
- iv. The WIC Director and WIC Nutrition Coordinator will discuss participants who are identified as abusing the WIC Program services and decide the appropriate sanction(s) to be taken. The Quality Assurance office will keep an on-going file of HANDS reports and related sanction activities.
- v. Dual participation of CNMI WIC clients in Guam will be communicated to the CNMI WIC program for correction.

The WIC Program Director and Nutrition Coordinator are notified of any participants who are allegedly abusing the WIC program by dual participation and ensure that appropriate action(s) are taken within 120 days according to the guideline indicated on **page II-CE-60 - 68**.

b. The State Agency has a written agreement with the Commodity Supplemental Food Program that includes specific procedures for the detection and prevention of dual participation

The Guam WIC Program does **not** have a written agreement with the Commodity Supplemental Food Program. It does **not currently exist** in Guam.

c. The State Agency has a written agreement with the Indian State Agencies or other geographic State Agencies in close proximity for the detection and prevention of dual participation

This does **not** apply to the Guam WIC Program.

d. The State Agency has established procedures to handle participants found in violation



due to dual participation

- The State Agency has established procedures to handle participants found in violation due to dual participation.
- Where dual participation and/or dual enrollment is confirmed by the local WIC site(s), the State Agency will initiate the sanction procedure.
(See Section II, CECS, Fair Hearing and Sanction System Pages II, CE-59 and 69 (j))

24. PARTICIPANT RIGHTS AND OBLIGATIONS:

- All WIC participants are informed of their rights and obligations each time they are certified for participation in the WIC Program at the local clinics.
- Documentation indicating that the authorized representative of each WIC participant has been informed of their rights and obligations is signed by the authorized representative at each certification evaluation.
- The participants “Rights and Obligations” statement includes the following statements informing them that failure to pick up food instruments will disqualify them for WIC participation during the current certification period and agreeing to the sharing of information with other public organization that may provide needed services. See appendix in for this section.
- The client’s “Rights and Obligations” statement will be read to clients who cannot read.
- Clients who require the information in another language or have special circumstances that prohibit the routine presentation are dealt with on a case-by-case basis by the Nutritionist supervising the clinic.
- The State agency has identified the following times as required to inform and review clients with their Rights and Obligations as WIC clients:
 - Eligibility at screening appointment
 - Found ineligible at screening appointment
 - Mid-certification disqualification
 - Clients is put on a waiting list for WIC Services
 - A child or post partum women is no longer categorically eligible for WIC
- a. The State Agency has uniform notification procedures that are used by all clinics statewide**
 - The State Agency provides the following two documents for distribution at all clinic sites to WIC participants during certifications; “Your Rights and Obligations as a WIC Participant” and “Fair Hearing Procedures for the Guam WIC Program”.



- The State Agency provides certification forms to each WIC site which have listed on its back side the participant's right and responsibilities plus a space for the Authorized Representative to place his/her signature in order to indicate that the information is understood.
- The Guam WIC Program restricts the use or disclosure of information obtained from program applicants and participants to: 1) Persons directly connected with the administration or enforcement of the program, including persons investigating or prosecuting violations in the Guam WIC Program under Federal, State or local authority; (2) Representatives of public organizations designated by the Guam Department of Public Health and Social Services Director. The Guam WIC State agency shall execute a written agreement with each such designated organization: (i) Specifying that the receiving organization may employ Guam WIC Program information only for the purpose of establishing the eligibility of WIC applicants and participants for health or welfare programs which it administers and conducting outreach to WIC applicants and participants for such programs, and (ii) Containing the receiving organization's assurance that it will not, in turn, disclose the information to a third party; and (3) Representatives of the Comptroller General of the United States for audit and examination as authorized by law; (4) in regards to child abuse and neglect reporting. As required by local law, the Guam WIC Program is required to report known or suspected child abuse or neglected cases. Such reporting will disclose confidential applicant and participant information without the consent of the participant or applicant to the extent necessary to comply with such law; and, (5) Release Forms. With the exception of search warrants or subpoenas, the Guam WIC Program will release confidential applicant and participant information only if the affected applicant or participant signs a release form authorizing the disclosure and specifying the parties to which the information may be disclosed. The Guam WIC Program does inform the applicant and participant they can refuse to sign the release form and that the form is not a condition of eligibility and refusing to sign the form will not affect the applicants or participant's application or participation in the Guam WIC Program. Applicants and participants are also asked to sign voluntary release forms after the application and certification process is completed. Applicants and participants are provided access to all information they provided to the program.

b. The State Agency requires all clinics to inform applicant/participant of his/her rights and responsibilities in written form. Participant rights and responsibilities are distributed in writing at each certification encounter.

c. The State Agency has implemented a policy of disqualifying



participants for not picking up food instruments and this policy is communicated to participants in the participant rights and responsibilities materials

The participant is disqualified if he/she fails to pick up WIC benefits for three (3) consecutive months. **(See Appendix)**

d. The State Agency has developed special notification policies and procedures for the following:

- If the Authorized Representative cannot read the “Rights and Obligations” they are read to him/her.
- Interpreters are utilized for languages other than English when possible.

e. The State Agency requires all clinics to provide notification of participant rights and responsibilities in the following situations:

- Eligibility at each certification
- Ineligibility at initial certification
- Waiting list status
- Mid-certification disqualification
- Child or post-partum who is no longer categorically eligible for WIC

25. FAIR HEARING AND SANCTION SYSTEM

a. The State has a law or regulation governing participant appeals.

Any individual has the right to appeal any decision made by the State Agency or WIC clinic which results in the individual’s denial of participation, suspension, or termination from the program or as a claim against the individual for payment of the cash value of improperly issued benefits.

- WIC participant appeals for a fair hearing are assisted by WIC staff as needed. The procedures for making an appeal on a decision made by the WIC Program are detailed below.

b. The State Agency has established statewide fair hearing procedures.

- The Guam WIC Fair Hearing Procedures is handed out to all participants.
- All program applicants and participants are notified of their right to appeal any decision(s) made regarding eligibility for the program. They are provided with the Fair Hearing form and rights and obligations at the time of certification or subsequent certification. At the time of determination of ineligibility, termination from the program or placement on a waiting list, the ineligible persons is provided with written notification of their right to appeal.
- Any individual has the right to request a fair hearing, and it is the responsibility of the WIC clinic staff to assist with such a request if



necessary.

- If a person indicates that they are dissatisfied with a decision and wishes to request a fair hearing, the WIC Local clinic staff must provide the individual with a copy of the Guam WIC Program Fair Hearing form, and be instructed to write the Department of Public Health and Social Services Public Appeals Hearing Office, 123 Chalan Kareta, Mangilao, Guam 96913-6304.
- The request may be presented orally or submit in writing or seek the assistance of the clinic staff to write his or her appeal request at the clinic site.
- A participant who is terminated during a certification period and who appeals the decision within fifteen (15) days of the termination notice, shall continue to receive program services (vouchers and nutrition education).
 1. Participants who appeal the termination of benefits within the period of time provided above must continue to receive Program benefits until the hearing official reaches a decision or the certification period expires, whichever occurs first. This does not apply to applicants denied benefits at initial certification, participants whose certification period has expired or participants who become categorically ineligible for benefits.
 2. Applicants who are denied benefits at initial certification, or participants who become categorically ineligible during a certification period (or whose certification period expires), may appeal the denial or termination, but must not receive benefits while awaiting the hearing.

(1) **The fair hearing procedures are uniformly implemented statewide. They are as follows:**

- A fair hearing may be requested by any individual where a claim against that individual has been made for repayment of the cash value of improperly issued benefits or results in the individual's denial of participation or disqualification from the program.
- All fair hearing requests at local clinic sites are referred to the State WIC agency which will provide the fair hearing.
- At the time of a claim against an individual for improperly issued benefits or at the time of participation denial or of disqualification from the program, the State or local (for participation denial only) agency/clinic shall inform each individual in writing of the right to a Fair Hearing, of the method by which a hearing may be requested, and that any positions or arguments on behalf of the individual may be presented personally or by the representative such as a relative, legal



counsel or other spokesperson. Such notification is not required at the expiration of a certification period.

- A request for a fair hearing can be made by the individual, the individual's parent, caretaker, or any other representative, that he or she desires an opportunity to present his or her case to a higher authority. The State agency or local clinic may not limit or interfere with the individual's freedom to request a fair hearing.
- The State agency shall provide individuals a reasonable period of time to request fair hearings; provide that, such time limit is not less than 60 days from the date the agency mails or gives the applicant or participant the notice of adverse action.
- The State agency and local clinic site shall not deny or dismiss a request for a fair hearing unless:
 - The request is not received within the 60 days time limit.
 - The request is withdrawn in writing by the appellant or their representative.
 - The appellant or representative fails, without good cause, to appear at the scheduled hearing; (or)
 - The appellant has been denied participation by a previous fair hearing and cannot provide evidence that circumstance relevant to program eligibility have changed in such a way as to justify a hearing.
 - Participants who appeal the termination of benefits within 15 days advance adverse notice period provided by (§246.7(j)(6) must continue to receive Program benefits until the hearing official reaches a decision or the certification period expires, whichever occurs first. This does not apply to applicants denied benefits at initial certification, participants whose certification period have expired, or participants who become categorically ineligible for benefits. Applicants who are denied benefits at initial certification, participants whose certification periods have expired or participants who become categorically ineligible during a certification period may appeal the denial or termination within the timeframes set by the State agency in accordance with §246.9(e) (Fair hearing procedures for participants), but must not receive benefits while awaiting the hearing or its results.
- The State agency processes each request for a fair hearing uniformly and makes the rules of procedure available for public inspection and copying. The State WIC Secretary is the contact person for information requests.



- A request for fair hearing must be made within 60 days from the date the adverse action was mailed or given to an applicant or participant.
- A fair hearing must be implemented within three (3) weeks of the State agency receiving the request.
- Advance notice of the fair hearing to be conducted will be mailed or given to the applicant or participant 15 days prior to the start of the fair hearing.
- The notice for the rules of conduct at the fair hearing will be mailed or given to the applicant or participant 15 days prior to the start of the fair hearing and enclosed with notice for time and place.
- The rights and responsibilities of the appellant at the hearing will be mailed or given to the applicant or participants 15 days prior to the start of the fair hearing and enclosed with the notice of time and place.
- Hearing official will be an impartial official who does not have any personal stake or involvement in the decision and who was not directly in the decision and who was not directly involved in the initial determination of the action being contested.
- The fair hearing is conducted by a hearing officer and shall:
 - Administer the Oath required by Guam
 - Ensure that all relevant issue are considered
 - Request, receive and make part of the hearing record all evidence determined necessary to decide the issue being raised
 - Regulate the conduct and course of the hearing consistent with due process to ensure an orderly fair hearing
 - Order, where relevant and necessary, an independent medical assessment or professional evaluation from a source mutually satisfactory to the appellant and the State agency.
 - Render a fair hearing decision which will resolve the dispute.
- The State agency shall ensure that the hearing is accessible to the appellant and is held within three (3) weeks from the date the State agency receives the request for a fair hearing.
- The State agency or local clinic shall provide the appellant with a minimum of 10 days advance written notice of the time and place of the hearing and shall enclose and explanation of the hearing procedure with the notice.



- The appellant shall be given the opportunity to be assisted or represented by an attorney or other persons.
- The appellant shall be given the opportunity to bring witnesses, to advance arguments without undue interference, question or refute any testimony or evidence (including an opportunity to confront and cross-examine adverse witnesses) and submit evidence to establish all pertinent facts and circumstances in the case.
- Fair hearing decisions of the hearing official shall be based on the application of appropriate Federal law, regulations and policy as related to the facts of the case as established in the hearing record.
- The verbatim transcript or recording of testimony and exhibits, or an official report containing the substance of what transpired at the hearing, together all papers and requests filed in the proceeding, constitute the exclusive record for a final decision by the fair hearing official.
- The State agency shall retain the hearing record in accordance with Federal Regulations 246.25 and make these records available for copying and inspection to the appellant or representative at any reasonable time.
- The decision by the fair hearing official shall summarize the facts of the case, specify the reason for the decision and identify the supporting evidence and the pertinent regulations or policy. The decision shall become a part of the record.
- Within forty-five (45) days of the receipt of the request for the fair hearing, the State agency shall notify the appellant or representative in writing of the decision and the reasons for the decision. If the decision is in favor of the appellant and benefits were denied or discontinued, benefits will begin immediately. If the decision concern disqualification and is in favor of the State agency, as soon as administratively feasible, the local clinic shall terminate any continued benefits, as decided by the fair hearing official. If repayment of benefits by the appellant is in favor of the agency, the State agency will resume its efforts to collect the claim even during pendency of an appeal of a local-level fair hearing decision to the State agency. The appellant may appeal a local hearing decision to the State agency, provided the request for appeal is made within 15 days of the mailing date of the hearing decision notice. If the decision being appealed concerns disqualification from the program, the appellant shall not continue to receive benefits while an appeal to the State agency of a decision rendered on appeal at the local level is pending. The decision of the hearing official is binding on the local agency and the State



agency unless it is appealed to the State level and overturned by the State hearing official.

- The State agency shall make all hearing records and decisions available for public inspection and copying; however the names and addresses of the participants and other members of the public shall be kept confidential.
- If the appellant expresses an interest in pursuing a higher review of the decision, the State agency shall explain the State agency shall explain the right to pursue judicial review of the decision.

c. State or WIC clinic actions against participants include, but are not limited to the following:

Actions taken by local clinic site:

- Client education and a verbal warning
- Delivery of a written warning if provided by the State Agency for client visit

Actions taken by local clinic site in response to the direction given by the State Agency

- Suspension of participant from WIC Program
- Removal of participant from WIC Program
- Suspension from the program mid-certification

Actions taken by the State Agency

- The State Agency will determine if program benefits have been obtained or disposed of improperly as a result of a participant for the full value of such benefits have been obtained of disposed of improperly as a result of a participant offense and will established a claim against the participant for the full value of such benefits
- Disqualification from the program due to the following, but not limited to, offenses:
 - Making false or misleading statements
 - Misrepresenting, concealing or withholding facts to obtain benefits
 - Sales of supplemental foods or food instruments to, exchange with, other individuals or entities
 - Receipt from food vendors of cash or credit toward purchase of unauthorized supplemental foods
 - Physical abuse or threat of physical abuse, or clinic or vendor staff
 - Determination of value of benefits to be reclaimed and arrangement of payback schedule
 - Notify WIC client in writing of sanction(s) to be implemented



- Collection of any reclaimed benefits

d. Appeal hearings are held at:

Appeal hearings are held at the WIC State Office or the Department of Public Health Central Office Conference Room.

e. Statewide fair hearing procedures include:

(See Section III, VIII. Certification, Eligibility and Coordination of Services, G.,6.,3., b.)

- Request for hearing
- Rules of procedure
- Fair hearing decision
- Clinic responsibilities
- Continuation of benefits
- Responsibilities of hearing

f. Statewide fair hearing procedures require written notification for:

- Termination within certification period
- Notice of hearing
- Fair hearing decision

(1) Written notice to the WIC participant must be provided for the following actions initiated by the State WIC agency:

- Acknowledge receipt of request for Fair Hearing (60 days from receipt of notice of action)
- Termination within a certification period (15 days notice)
- Denial or dismissal of request for Fair Hearing (After 60 days from notice of action)
- Notice of fair hearing (15 days notice)
- Fair hearing decision (45 days of receipt of the request for the hearing)

g. The State Agency has established time frames to govern each step of the hearing process

The State agency has established time frames for each step of the hearing process.

h. The State Agency requires all clinics to document any notification/correspondence in the participant's file

The State Agency requires local clinics to document any notification/correspondence in the participant's file. A copy of relevant notification/correspondence is kept in the clients file for client educational purposes

26. SANCTION POLICY



The State Agency has a written sanction policy for participants

Policy: The Guam WIC Sanction procedures are intended first to educate WIC clients about correct use of the program's services. Secondly, the sanction procedures are intended to promote and ensure the integrity of the WIC Program through making its participants accountable for their actions by first providing a warning for inappropriate occurrences when possible.

There are immediate one-year disqualifications for some participant violations. Those mandatory one-year disqualifications include:

- whenever the State agency assesses a claim of \$100 or more,
- assesses a claim of any amount for dual participation, or
- assess a second or subsequent claim of any amount.

The second or subsequent claim does not have to be for the same participant violation.

Definitions:

- Dual Enrollment - A WIC participant is enrolled in more than one WIC clinic site for any period of time. WIC Food Instruments have only been received from one clinic site.
- Dual Participation - A WIC participant is enrolled in more than one WIC clinic and has received benefits from more than one clinic sites.
- False information - Any information presented verbally or in writing to the WIC Program which is proven to be false.
- Disruptive actions - Any threats, verbal abuse, or physical abuse which result in disruption of normal daily procedures or operations.
- Misuse of Food Instruments - Misuse of Food Instruments includes, but is not limited to the following:
 - Receiving unauthorized foods directly or indirectly by redemption of WIC Food Instruments.
 - Selling or exchanging foods redeemed from WIC Food Instruments
 - Selling or exchanging WIC Food Instruments for any purpose except their intended purpose
 - Giving away Foods redeemed from WIC Food Instruments



- Redeeming or attempting to redeem post dated Food Instruments
- Redeeming of Food Instruments which have been reported lost or stolen without the written approval of the clinic site supervisor
- Returning Foods redeemed from WIC Food Instruments to a store for cash or credit
- Redeeming Food Instruments for non-food items.
- Any use of WIC Food Instruments other than their intended purpose
- Alteration of WIC Food Instruments - Any change by any means of WIC Food Instrument which changes the original intention of use of the Food Instrument. This definition is extended to include the changing of anything on a food instruments to correct an error on the original Food Instrument. Authorized changes in WIC Food Instruments are done only for approved purposes by WIC clinic site staff that will void the original FI and re-issue new FI's.
- Stealing WIC Food Instrument(s) - Taking or withholding the intended use of a WIC Food Instrument from the WIC participant who is intended to receive the benefits of the Food Instrument. This definition maybe extended to include the consumption or use of WIC foods by anyone other than the WIC participant when the WIC participant does not appear to be benefiting from the foods as determined by a health professional.
- Signature problems - A participant presents a Food Instruments with the following problems, but not limited to:
 - Failing to counter sign a Food Instrument at time of purchase
 - Authorized signature on WIC identification card not matching the signature on the Food Instrument at the time of purchase
- Wrong store - A participant uses or attempts to use a Food Instrument(s) at a store not authorized by the WIC Program.
- Excessive issuance - A participant receives, in error, more Food Instruments than he/she is entitled to for one or more weeks and



redeems them.

- Participant - A WIC client who is certified for participation in the WIC Program or their Authorized Representative.
- Disqualification - Termination of a participant from WIC for a period of time and cessation of WIC benefits.
- Offense - Any action of a Participant or Authorized Representative that deviates from Federal or State statutes, regulations, policies or procedures governing the Guam WIC Program.
- Violation - Any deliberate action of a Participant or Authorized Representative that violates Federal or State statutes, regulations, policies, or procedures governing the Guam WIC Program.
- Restitution or repayment - Reimbursement of the cash value (or its in-kind equivalent of a Food Instruments) to the State WIC Program.
- In-kind - Work done for the WIC program in place of monetary restitution or repayment. The value of in-kind work is determined by the State Agency at the time a repayment plan is utilized.
- Sanction- An action taken by the State WIC Program as a consequence of a violation.
- Exceptions to disqualification are as follows:
 - If the participant is an infant, child or woman under the age of 18, the disqualification is rescinded if the State Agency approves a new Authorized Representative
 - If a participant has made restitution or repayment within 30 days, or entered into a repayment agreement
 - First occurrence - The first documented incident of a Participant's or Authorized Representative's offense when disqualification is not mandatory
 - Second or subsequent occurrence - A second (or more) documented occurrence of a Participant's or Authorized Representative's original offense. The second or subsequent occurrence by a Participant's or Authorized Representative's constitutes a violation and will result in a sanction, except in cases of stealing or trafficking of food instruments which are more serious occurrences that demand a stronger corrective action on the first



substantiated and documented occurrence.

- Termination - A participant's file is closed (Inactivated) and benefits cease.
- Suspension - The action of withholding program benefits for a period of time less than their current full certification period.

- j. **The State Agency has established procedures that determine the type and level of sanctions to be applied against participants**

Offense	Occurrence	Warning	Sanction or Mandatory Action
DUAL ENROLMENT/PARTICIPATION			
A. Dual Enrollment (only received one EBT card for food benefit redemption or if two or more EBT cards were received for the same client, but only one had been redeemed for benefits)	1st	WIC clinic site education regarding WIC participant enrollment procedures. A written educational letter of warning from the State agency explaining the consequences of dual participation and the difference between enrollment and participation.	Immediate termination from one (1) or more clinic sites as appropriate. May continue on WIC at one site.
A.1. Dual Enrollment (only received one EBT card for food benefit redemption or if two or more EBT cards were received for the same client, but only one had been redeemed for benefits).	2nd	WIC clinic site education regarding WIC participant enrollment procedures. A written letter of warning from the State agency re-educating the client about WIC rules and regulations and the consequences of dual participation.	Immediate termination from one (1) or more clinic sites as appropriate. May continue on WIC at one site.



Offense	Occurrence	Warning	Sanction or Mandatory Action
B. Dual Participation (received two or more EBT cards for the same participant and redeemed food benefits from two or more during the same time period)	1st		Immediate termination from all clinic sites and disqualification* from participating in WIC for 1 year. A letter from the State agency demanding reimbursement for the value of benefits received during the period of dual participation.
DISRUPTIVE ACTIONS			



Offense	Occurrence	Warning	Sanction or Mandatory Action
A. Disruptive actions	1st	<p>1. Letter of advisement indicating the procedures for filing complaints/concerns about employees and/or the program including the possible legal consequences of following through with threats by State Agency.</p> <p>2. Letter of advisement indicating the procedures for filing complaints/concerns about employees and/or the program by State Agency</p> <p>3. Letter of advisement indicating the procedures for filing complaints/concerns about employees and/or the program including the possible legal consequences of following through with threats by State Agency (AND/OR) the sanction indicated for physical abuse.</p>	<p>3. Three (3) months suspension* at the discretion of the WIC state office depending on the nature of the physical abuse.</p>
1. Threat			
2. Verbal abuse			
3. Physical abuse to individuals or property.			



Offense	Occurrence	Warning	Sanction or Mandatory Action
A.1. Disruptive actions 1. Threat 2. Verbal abuse 3. Physical abuse	2nd 2nd 2nd		1. Three (3) months suspension*. Plus: Letter of warning for termination for any further occurrence from State Agency 2. Three (3) months suspension*. Plus: Letter of warning for termination for any further occurrence from State Agency. 3. Three (3) months suspension*. Plus: Letter of warning for termination for any further occurrence from State Agency.
A.2. Disruptive actions 1. Threat 2. Verbal abuse 3. Physical abuse	3rd 3rd 3rd		1. Termination from WIC Program for one (1) year*. 2. Termination from WIC Program for one (1) year*. 3. Termination from WIC Program for one (1) year*.



Offense	Occurrence	Warning	Sanction or Mandatory Action
MISUSE OF EBT card(s)			
A. Misuse of EBT card(s) (any one (1) or more of the following) <ul style="list-style-type: none">- Received unauthorized foods- Sell or exchange foods redeemed with EBT card- Give away foods redeemed with EBT card- Excessive foods- Return foods for cash or credit- Purchasing non-food items- A WIC Authorized Representative or SAR acting on the Auth.Rep's behalf not redeeming WIC food benefits that were issued for WIC participants in his/her care.-offer to sell or exchange foods redeemed with EBT card- Failure to protect EBT card PIN from misuse	1st (any unique offense or combination of offenses resulting in less than \$100 loss to the WIC program)	WIC clinic site education regarding proper use of WIC EBT card . A written letter of warning regarding potential disqualification and possible request for program reimbursement from the State agency in the event that further offenses occur.	Establish claim amount for possible reimbursement with future violations.



Offense	Occurrence	Warning	Sanction or Mandatory Action
<p>A.1. Misuse of EBT card(s) (any one (1) or more of the following)</p> <ul style="list-style-type: none">- Received unauthorized foods- Sell or exchange foods- Give away foods- Excessive foods- Return foods for cash or credit- Purchasing non-food items- A WIC Authorized Representative or SAR acting on the Auth.Rep's behalf not redeeming FIs that were issued for WIC participants in his/her care.-offer to sell or exchange foods redeemed with EBT card- Failure to protect EBT card PIN from misuse	<p>2nd (any repeated unique offense or combination of offenses resulting in less than \$100 loss to the WIC program)</p>		<p>Suspension for one (1) year.</p> <p>Any violation that results in a second or subsequent claim of any amount requires a mandatory 1-year suspension from WIC .</p> <ul style="list-style-type: none">- The WIC state agency must also make a claim for repayment to the WIC program for the value of FI(s) misused.



Offense	Occurrence	Warning	Sanction or Mandatory Action
B. Misuse of EBT card(s) (any one (1) or more of the following) <ul style="list-style-type: none">- Received unauthorized foods- Sell or exchange foods- Give away foods- Excessive foods- Return foods for cash or credit- Purchasing non-food items- A WIC Authorized Representative or SAR acting on the Auth.Rep's behalf not redeeming EBT card(s) that were issued for WIC participants in his/her care.-offer to sell or exchange foods redeemed with EBT card- Failure to protect EBT card PIN from misuse	1st (any unique offense or combination of offenses resulting in a <u>\$100 or more</u> loss to the WIC program)		Disqualification* from participant in the WIC program for one (1) year and a claim by the WIC State agency for repayment to the WIC program for the value of FI(s) misused.
ALTERATION OF WIC FOOD INSTRUMENTS			



Offense	Occurrence	Warning	Sanction or Mandatory Action
A. Alteration of WIC EBT card(s) resulting in <u>less than \$100</u> loss to the WIC program)	1 st	WIC clinic site education regarding proper use of WIC EBT card . A written letter of warning regarding potential disqualification and possible request for program reimbursement from the State agency in the event that further offenses occur.	Establish claim amount for possible reimbursement with future violations.
A.1. Alteration of WIC EBT card(s) resulting in any claim for a loss to WIC. This includes claims that are less than \$100 and cumulative claims that are <u>LESS than \$100</u> loss to the WIC program)	2 nd		Mandatory 1-year disqualification. (Any subsequent claim of any amount, established for a program violation results in a mandatory 1-year disqualification.)



Offense	Occurrence	Warning	Sanction or Mandatory Action
B. Alteration of WIC EBT card(s) resulting in \$100 OR <u>MORE</u> loss to the WIC program)	1 st		Disqualification* from participation in the WIC Program for one (1) year AND a reimbursement claim by the State for \$100 or more.
STEALING OR TRAFFICING WIC FI			
A. Stealing or trafficking WIC EBT card(s) resulting in <u>LESS than \$100</u> loss to the WIC program.	1 st		Suspension* from WIC Program for three (3) months and claim for repayment to the state WIC program for the value of the FI's stolen from the intended recipient. Notification of Adult or Child Protective Services as appropriate. Plus a letter of warning for disqualification from the WIC program and a reimbursement claim if this offense occurs again.



Offense	Occurrence	Warning	Sanction or Mandatory Action
A.1. Second instance of stealing or trafficking WIC EBT card(s) resulting in any dollar loss to the WIC program	2 nd		Disqualification* from participation in the WIC program for one (1) year with a claim by the State agency for repayment to the WIC program for the value of any loss to WIC.
B. Stealing or trafficking WIC EBT card(s) resulting in \$100 or more loss.	1 st		Disqualification* from participation in the WIC program for one (1) year with a claim by the State agency for repayment to the WIC program for the value of any FI's stolen.
SIGNATURE PROBLEMS			
A. Signature problems resulting in <u>LESS than \$100</u> loss to the WIC program.	1 st	WIC clinic site education regarding proper use of WIC FI's. A written letter of warning from the State agency.	



Offense	Occurrence	Warning	Sanction or Mandatory Action
A.1. Signature problems resulting in <u>LESS than \$100</u> loss to the WIC program.	2 nd		Any participant violation that results in a second or subsequent claim of any amount results in a mandatory 1-year disqualification.
B. Signature problems resulting in \$100 or <u>MORE</u> loss to the WIC program.	1 st		Disqualification* from participation in the WIC program for one (1) year with a claim by the State agency for repayment to the WIC program for the value of the FI's misused.
REDEMPTION OF FI(s) AT UNAUTHORIZED STORES			
A. Redemption of FI(s) at Unauthorized Store(s) resulting in <u>LESS than \$100</u> loss to the WIC program.	1 st	WIC clinic site education regarding use of WIC authorized stores. A written letter of warning for the State agency.	Establish claim for the dollar loss to WIC.



Offense	Occurrence	Warning	Sanction or Mandatory Action
A.1. Second Redemption of FI(s) at Unauthorized Store(s) resulting in <u>LESS than \$100</u> loss to the WIC program.	2nd		Mandatory 1-year disqualification for any participant violation that results in a second or subsequent claim.
A.1. Redemption of FI(s) at Unauthorized Store(s) resulting in \$100 or <u>MORE</u> loss to the WIC program.	1st		Disqualification* from participation in the WIC Program for one (1) year for any claim of of \$100 or more for the offenses.

* Exceptions may apply (see definitions for exceptions to suspensions/disqualifications)

27. GUAM WIC PROGRAM POLICY and PROCEDURE on SUBPOENAS and SEARCH WARRANTS

Policy: Pursuant to 7 CFR, subsection 246.26, Other Provisions, (i) Subpoenas and Search Warrants, the Guam WIC Program may disclose confidential applicant, participant, or vendor information pursuant to a valid subpoena or search warrant in accordance with the following procedures.

1. Subpoena procedures:

In determining how to respond to a subpoena duces tecum (i.e., a subpoena for documents) or other subpoena for confidential information, the Guam WIC Program state office or its local satellites must use the following procedures:

- a. Upon receiving the subpoena immediately notify WIC Management;
- b. The Guam WIC Program will consult with legal counsel which is the Office of the Attorney General to determine whether the information requested is in fact confidential and prohibited by this section from being used or disclosed as stated in the subpoena;



- c. If the Guam WIC Program determines that the information is confidential and prohibited from being used or disclosed as stated in the subpoena, we will attempt to quash the subpoena unless the Guam WIC Program determines that disclosing the confidential information is in the best interest of the Program. The determination to disclose confidential information without attempting to quash the subpoena should be made only infrequently;
- d. If the Guam WIC Program seeks to quash the subpoena or decides that disclosing the confidential information is in the best interest of the Program, inform the court or the receiving party that this information is confidential and seek to limit the disclosure by:
 - (1) Providing only the specific information requested in the subpoena and no other information;
 - (2) Limiting to the greatest extent possible the public access to the confidential information disclosed;

2. Search warrant procedures.

In responding to a search warrant for confidential information, the Guam WIC Program state office or its local satellites must use the following procedures:

- a. Upon receiving the search warrant, immediately notify WIC Management;
- b. Immediately notify legal counsel which is the Office of the Attorney General;
- c. Comply with the search warrant;
- d. Inform the individual(s) serving the search warrant that the information being sought is confidential and seek to limit the disclosure by:
 - (1) Providing only the specific information requested in the search warrant and no other information; and
 - (2) Limiting to the greatest extent possible the public access to the confidential 27

28. CLAIMS AGAINST PARTICIPANTS

Procedure:

- a. If the State agency determines that food benefits have been improperly issued under the Program as the result of a participant, guardian, or caretaker intentionally making a false or misleading statement or intentionally misrepresenting, concealing, or withholding facts the State agency shall recover, in cash, from such participant, guardian, or caretaker an amount that the State agency determines is equal to the value of the over issued food benefits.



- b. The State agency shall send a written demand letter for initiating collection action on the over-issued food benefits.
- c. The demand letter shall inform the participant, guardian or caretaker of the amount owed, the reason for the claim, and the period of time the claim covers. The letter will also inform the participant, guardian or caretaker that they have sixty (60) days to appeal the amount of the claim, and that they have the right to a fair hearing.
- d. The letter shall inform the participant, guardian or caretaker of their right to request negotiation for any repayment schedule.
- e. The letter shall also provide a space for the participant, guardian or caretaker to indicate their preferred method of payment and for the signature of the participant, guardian or caretaker.
- f. The letter will be sent to the mailing address stated on the certification form and will be sent via certified mail.
- g. All collection efforts will be suspended if:
 - a. The participant, guardian or caretaker cannot be located.
 - b. The cost of further collection action is likely to exceed the amount that can be recovered.
- h. If the State agency has sent at least one (1) demand letter for claims under \$100, at least two (2) demand letters for claims between \$100 and \$400, and at least three (3) demand letters for claims more than \$400, further collection action will be suspended when the cost of further collection is likely to exceed the amount that can be recovered.