Maine Center for Disease Control and Prevention
WIC Nutrition Program

Effective: October 1, 2012 Policy No. CE-1
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Eligibility Application Process, Identification Requirements and Documentation

Authority

7 CFR §246.4(a)(6), (10), (11)(i) and (19); §246.7;
22 MRSA §255 and §1951;
10-44 CMR, Chapter 286 §II.F;
Americans with Disabilities Act (ADA) of 1990; 42 USC 12101 et seq.;
Rehabilitation Act of 1973; 29 USC 794 §504
Public Law 105-336 §203(a)(1)
FNS Policy Memo #96-1, Non-Birth Mothers Certified as Breastfeeding Women
FNS Policy Memo #99-4, Self-Declaration of Residency
National Voter Registration Act of 1993

Policy

1. The State Agency shall require all Local Agencies to use a standardized application process for all persons applying for the Maine CDC WIC Nutrition Program.
2. To be certified as eligible for the Program, applicants must meet residency, identity and physical presence requirements as follows:
   - 2.1 Live in Maine
   - 2.2 Meet the Maine CDC WIC Nutrition Program's income eligibility guidelines
   - 2.3 Meet the Maine CDC WIC Nutrition Program's nutrition risk criteria; and
   - 2.4 Be in one of the following categories:
     - 2.4.1 A pregnant woman
     - 2.4.2 A nonbreastfeeding woman within six months of delivery
     - 2.4.3 A breastfeeding woman within 12 months of delivery who is breastfeeding or pumping at least once per day
     - 2.4.4 An infant from birth through 12 months of age; or
     - 2.4.5 A child from age 12 months (one year) to 60 months (up to the fifth birthday).
3. A pregnant woman who is physically present and meets the income eligibility standards may be presumed eligible to participate in the program and may be certified for participation immediately without an evaluation of nutrition risk. Verification of residency and identity must be done at this visit.

4. Local Agencies may issue such presumptively eligible participants up to thirty (30) days of food benefits and schedule an appointment for a complete certification visit, at which time income eligibility and nutrition risk must be assessed and assigned.
5. The State Agency shall require documentation of residency, identity and income at the time of certification. If residency information is missing, the Local Agency shall require a signed statement explaining why documentation of residency is not available.
6. An applicant with no proof of identity and/or residency cannot be certified or issued food instruments except in situations where the applicant is a victim of theft, loss, or disaster; or a homeless individual, a migrant, or an individual who is institutionalized.
7. The State Agency shall use temporary (up to thirty (30) days) certifications for individuals who do not present necessary proof of income at the time of application.
8. The State Agency shall require that the applicant be physically present at the time of certification or that a valid exception be documented. Valid exceptions shall include:

    8.1 The applicant or parent/caretaker is an individual with disabilities which prevent him/her from being physically present at the WIC clinic (e.g., medical equipment, bed-rest, or serious illness exacerbated by coming in to clinic).

    8.2 The applicant is an infant or child receiving documented ongoing health care from any health care provider, including the Local Agency; being physically present would pose an unreasonable barrier; or the infant or child was present at his/her initial WIC certification.

    8.3 The applicant is an infant under eight (8) weeks of age who cannot be present at the time of certification (for a reason determined to be appropriate by the Local Agency) and for whom all necessary certification information is provided.

Procedure

1. Proof of identification must be shown for all applicants and individuals serving as authorized representative/proxy at all certification appointments. The table below lists acceptable forms of identification:

Generally Available:	**Other Sources:**
Women (All Categories)	
Driver's license/State ID	Birth Certificate
MaineCare Card	Pay stubs
DHHS case paperwork	Utility bills
School picture ID/Registration	Hospital discharge summary
Passport/Green Card	Immunization record
Military ID	Ultrasound record
Social Security Card	WIC ID Folder (recertifications only)
Infants/Children	
Birth Certificate	Hospital discharge summary
Social Security Card/application	Head Start enrollment paperwork

Passport	Immunization record
MaineCare Card	Hospital bracelet/nursery crib card
Generally Available:	**Other Sources:**
Court Appointed Custody Order	WIC ID Folder (if name is recorded on folder at certification by WIC staff)
DHHS case paperwork listing child's name	

2. Photo identification for women participants, authorized representative and proxies may be scanned into the electronic record for all respective household members when the participant/authorized representative provides written permission using Appendix CE-1-B.

3. Applicants must show proof of residency at each certification/recertification.

   3.1 Proof of residency must include documentation of physical residence address. Potential sources for verifying residency include:

Generally Available:	**Other Sources:**
Voter registration card	Home visit
Job offer/rejection letter	Collateral contact
Utility bills	Telephone directory
Rent receipts, mortgage receipts, lease agreements	Tax office records
Driver's license	Church or synagogue records
Piece of mail received at stated residence address	
Real estate tax receipts	
Renter's, home owner's, or standard fire insurance policy	
School registration	

   3.2 Active enrollment in an adjunctively-eligible program (MaineCare/TANF/SNAP) is considered proof of residency for the household.

   3.3 Self-declaration of residency is not acceptable for eligibility.

   3.4 Migrant farm works are considered Maine residents as long as their temporary abode is within Maine borders.

4. At each certification or recertification for program benefits, WIC staff members must do the following:

   4.1 Document proof of income, residency and identification in the appropriate locations in the participant electronic record

   4.2 Document physical presence in the participant electronic record

   4.3 Review program rights and responsibilities (located inside the WIC Participant Booklet, Appendix CE-1-A) with the participant or authorized representative/proxy.

4.4 Have the participant or authorized representative/proxy sign the SPIRIT signature pad, acknowledging understanding and agreement to participant program rights and responsibilities.

4.4.1 If the electronic signature pad is not working properly, staff shall capture the participant or authorized representative/proxy signature on Appendix CE-1-C Rights and Responsibilities Signature Page

5. Physical presence at certification must be documented in the participant electronic record. Documentation to establish an exception to the physical presence requirements as enumerated in the above policies must be maintained in the participant electronic record. Acceptable forms of documentation include a statement from a physician or other health care provider.

6. In accordance with the Americans with Disabilities Act (ADA) of 1990 and Section 504 of the Rehabilitation Act of 1973, WIC agencies must provide "reasonable accommodations" for persons with disabilities. If an applicant, participant or authorized representative has a disability that makes it difficult to come to a WIC clinic for certification, the applicant or participant may be certified without being physically present.

6.1 Not all persons with a disability are categorically exempt from the physical presence requirement.

6.2 Only those disabilities that create a current barrier to the physical presence requirement may serve as a basis for an exception.

7. Local Agencies must make every effort to schedule working clients, parents and guardians at times that will not jeopardize their employment. Early morning, lunch hour and evening appointment times should be made available to reduce barriers to certification. Exceptions are permitted with local agency director approval.

8. The length of time an applicant may be exempt from the physical presence requirement will be handled on an individual basis.

8.1 The exemption is only applicable to the certification period for which it was provided and must be reassessed at a subsequent certification.

8.2 The Local Agency director or nutritionist must confirm the need to continue the exemption. This may be based on the previous documentation or a phone consult with the client's health care provider.

9. Persons living in institutions may participate in the Maine CDC WIC Nutrition Program if the following provisions are met:

9.1 The institution does not financially benefit from the person's participation in the Program (e.g. the institution does not reduce the quantity of food the person is receiving because he/she is receiving WIC foods).

9.2 The WIC foods are not used for communal feeding.

9.3 The institution does not place constraints on the WIC participant's ability to use WIC foods or the available WIC services.

10. Homeless persons without a permanent address are eligible for Program benefits. Those living in institutions serving the homeless are eligible as long as the facility complies with the requirements previously listed for institutionalized individuals.

10.1 Institutions may be required to sign a written statement agreeing to comply with these conditions. On-site monitoring of the institution may be performed by State or Local Agency staff.

11. U.S. citizenship is not required for persons who are otherwise eligible to participate in the Maine CDC WIC Program. Maine CDC WIC regulations prohibit either acknowledging participation by non-citizens or releasing any information (including names and addresses) to the Immigration and Naturalization Service (INS). Categories of aliens are as follows:

11.1 Non-Resident Illegal Aliens- those who have resided in the U.S. since before January 1, 1982 and have applied for amnesty under the Immigration and Reform Act of 1986, and those who are in the U.S. illegally and not eligible to apply for amnesty.

11.2 Resident Legal Aliens- aliens who have green cards

11.3 Non-Resident Legal Aliens-legal aliens such as students or tourists who are in the U.S. temporarily

12. A foster child for whom the State is legally responsible shall be considered a one-person family.

13. One WIC Participant Booklet (Appendix CE-1-A) is issued to each family upon enrollment into the program. The ID folder is signed by the participant/authorized representative and the proxy(ies) (if designated). The folder contains program information as well as the current authorized WIC food list.

13.1 The Local Agency must store unused WIC ID Folders in a secure location.

13.2 Local Agency WIC staff issue one family ID folder per family unit when applicant(s) is/are initially certified.

13.3 Authorized representative/participant shall sign on the designated line in the Rights and Responsibilities section of the Participant Booklet (Appendix CE-1A), acknowledging that he/she has read and understands the section.

13.4 Authorized representative/participant shall sign on the designated line on the back of the Participant Booklet.

13.5 If a proxy(ies) has been named, the authorized representative is instructed to have the proxy(ies) sign the proxy signature line before the next appointment.

13.6 If no proxy has been designated, the proxy portion of the folder is crossed through with an X in pen by WIC staff.

13.7 Local Agency name, address and phone number are stamped in the available area on the folder.

13.8 Family/Household ID number is written on the designated line inside the folder.

13.9 If the WIC ID folder is lost or stolen, the participant/authorized representative's identity must be verified before another folder can be issued.

13.9.1 Identifying documents such as a driver's license, State ID card, or another official document shall be used for verification of participant's identity for folder replacement. Identification cannot be based on staff recognition.

13.9.2 Local Agency staff must document the date of the replacement and the reasons for the issuance of a new ID folder in the participant electronic record.

13.10 ID folders are mailed only under unusual circumstances. The reasons for mailing must be documented in the participant electronic record. When mailing ID folders, Local Agency staff must ensure the following:

13.10.1 ID folders must be mailed via first-class mail.

13.10.2 ID folders must be mailed in envelopes which contain the return address of the Local Agency.

13.10.3 Envelopes with ID folders must say "Return Service Requested".

14. The Local Agency must verify the identity of each participant at the initial certification and each recertification and document proof of identity in the participant electronic record.

15. A woman who is breastfeeding a WIC infant she did not give birth to is eligible to be certified as a breastfeeding woman. Examples may include a wet nurse, an adoptive mother or a foster mother.

15.1 For non-birth women who are breastfeeding, all certification requirements (income, residency and nutrition risk) must be met at enrollment.

15.2 Women expressing milk for donation to a milk bank do not qualify.

15.3 If a woman who is breastfeeding a WIC infant she did not give birth to has a medical condition which contraindicates breastfeeding, she must be given the same information and referrals as a birth mother with the same condition(s). In this instance, Local Agency staff is not obligated to certify the woman as breastfeeding.

15.4 If a birth mother is eligible for the program and her infant is being breastfed by another woman, Local Agency staff may enroll the birth mother as nonbreastfeeding and the breastfeeding woman as a breastfeeding participant. Only one woman may be certified in the breastfeeding status, even if both women apply for that status.

15.5 In determining eligibility, the infant is not required to reside with the non-birth breastfeeding woman. Family size is determined by the woman claiming to have the infant in her residence. The breastfed infant may not be counted in the family size of both women.

15.6 The age of the WIC infant determines the length of time the non-birth breastfeeding woman may participate in the program. The non-birth woman who is breastfeeding a WIC infant may participate in the program until she stops breastfeeding at least once per day, or when the infant turns 12 months of age, whichever occurs first.

16. Voter registration applications and materials must be made available and easily accessible in all clinic sites for participants and authorized representatives.

17. Local agency staff shall offer voter registration opportunities to all program applicants and/or participants at all certifications, recertifications and/or notifications of change of physical address, as mandated by the National Voter Registration Act of 1993. Individuals shall also be provided assistance to complete voter registration cards as needed.

17.1 The voter registration status is specific to the authorized representative. If only the proxy is present at the time of recertification, staff shall update the voter registration information next time the authorized representative is present.

17.2 Staff shall document voter registration inquiry and status according to the following:

Authorized Representative Choice	**Demographics Tab 2 Register to Vote field**	**Referrals tab**	**Notes**
Already Registered	Already Registered		Offer again if physical address changes
Not Registered, Would like to register	Voter Reg Card Provided	Voter Registration Card	In order to complete registration: bring card to city/town office along with ID and proof of residency Offer again if physical address changes
Not Registered, does not want to register	Declined Voter Reg Card		Offer again if physical address changes
Cannot Register (<18 years of age, noncitizen)	Not Eligible to Register		Offer again on or after 18th birthday for US citizens