

WASHINGTON STATE WIC NUTRITION PROGRAM



Washington State WIC Manual
Notice of Revision



Date: 5/22/2020

Notice Number: 2020-02

<input checked="" type="checkbox"/> Volume 1	<input type="checkbox"/> Volume 2
Chapter: 2 – Program Compliance	
Section: See Table of Revisions	
Policy/Recommendation/Description/Procedure:	
Type of Action/Change: <input checked="" type="checkbox"/> Supersedes <input type="checkbox"/> New <input type="checkbox"/> Delete	
If you have questions about this revision or wish additional copies, call or write:	
<p>Department of Health State WIC Nutrition Program P.O. Box 47886 Olympia WA 98504-7886 Call: 1-800-841-1410</p>	

Explanation of Revisions:

- We revised this chapter to align with the Participant Violations and Sanctions published in the Washington Administrative Code (WAC) and posted the chapter to the website in September 2019.
- This revision updates the chapter to align with Cascades.
- The following Table of Revisions includes changes from both of the above chapter revisions since we didn't post a table of revisions in September 2019.

Remove: N/A

Insert: N/A

Attachments:

- Memo
- Manual Revision
- Other _____



This institution is an equal opportunity provider.
Washington State WIC Nutrition Program doesn't discriminate.

PUBLIC HEALTH
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HEALTHIER WASHINGTON



DOH 960-367 May 2020

Volume 1, Chapter 2 – Program Compliance
Table of Revisions

Policy/Page	Revision	Comments
Through-out chapter	Terminology changes: <ul style="list-style-type: none"> • Client to Participant • Caregiver to Parent Guardian • Checks to benefit issuance • CIMS to Cascades 	
Chapter structure	Revised chapter structure as follows: <ul style="list-style-type: none"> • Section 1: References and Definitions • Section 2: Participant Violations and Sanctions • Section 3: State Staff Responsibilities • Section 4: Clinic Responsibilities • Section 5: Clinic Staff Compliance 	
Introduction	Removed	
References p. 1	<ul style="list-style-type: none"> • Expanded Code of Federal Regulations (CFR) citations • Added Washington Administrative Code (WAC) 246-790 – Sections 500 – 570 • Added Contract between the local agency and the Washington State Department of Health (Washington WIC Program) 	
Definitions p. 2	<ul style="list-style-type: none"> • Updated terms to align with Cascades • Removed terms that are defined in the WAC 	
Participant Violations and Sanctions p. 3	New policy: When a WIC participant, parent guardian, caretaker, or proxy violates WIC regulations or policy, state Program Compliance Unit staff will impose the appropriate sanction which may include the following: <ul style="list-style-type: none"> • Notice of Violation • Claim for repayment • Disqualification 	See the Washington Administrative Code (WAC) 246-790 , sections 500 – 570 for more information about participant rules, violations and sanctions.
State Program Compliance Unit Staff Investigate, Make Determinations and Initiate Follow-up for Participant Rule Violations p. 4 - 6	New policy: Outlines the process and state office unit and personnel responsible for investigating, making determinations, and directing follow-up actions for participant violations.	
Claims and Payments p. 7	Policy: Reformatted, no major content changes.	

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	<p>Procedure:</p> <ul style="list-style-type: none"> • Removed state office procedures. • Procedure C: Document pertinent information in the participant’s file, scan the documents received from the state Program Compliance Unit into the participant’s file, then destroy the documents after scanning. 	
<p>Disqualification p. 8 - 9</p>	<p>Policy: Reformatted, no major content changes.</p> <p>Procedure:</p> <ul style="list-style-type: none"> • Removed state office procedures. • Streamlined procedure to follow instructions from state Program Compliance Unit staff. 	
<p>Using a Substitute Caretaker Instead of Disqualification p. 10 - 13</p>	<p>Policy: Reformatted, no major content changes.</p> <p>Procedure:</p> <p>B, 1 Staff scan the Substitute Caretaker Authorization form into the participant’s file and destroy the hard copy.</p> <p>B, 3 Have the substitute caretaker sign a hard copy of the R & R, scan it into the participant’s file and give the original to the substitute.</p>	<p>State Program Integrity Unit staff will work with clinic staff to determine how to document the substitute caretaker in Cascades.</p>
<p>Prevent Dual Participation p. 14</p>	<p>Procedure: Streamlined procedure with links to pertinent policy and procedure chapter references.</p>	
<p>Report Incidents or Suspected Rule Violations p. 15 - 16</p>	<p>Policy: Added requirement to report incidents or suspected WIC rule violations to state WIC Program staff within 5 business days.</p> <p>Procedure:</p> <p>A, 1 Included link to the WAC with the current, published participant violation actions to report.</p> <p>A, 2 Included link to WAC with reference to section for vender violations.</p> <p>A, 3 Included reference and link to new “Clinic Staff Compliance” policy for information about staff violations to report.</p>	

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	<p>B Updated methods to report incidents and suspected rule violations.</p>	
<p>Role of Clinic Coordinator or Designee for Incident or Rule Violation Follow-up p. 17 - 18</p>	<p>Policy: The clinic coordinator or designee must be able to respond to state staff requests for information and be familiar with this policy and procedure, participant rules in 7 CFR 246, Washington Administrative Code 246-790, and state WIC office policies or memos. The clinic coordinator’s or designee’s role is to:</p> <ul style="list-style-type: none"> • Conduct follow-up activities with the participant or parent guardian as directed by state staff. • Assure all incidents or suspected rule violations are reported to the state in a timely way. • Cooperate with state staff as they conduct investigations and perform requested follow-up activities <p>Procedure: Supports policy requirements by requiring training and knowledge of Washington WIC policy and memos.</p>	
<p>Clinic Staff Cooperate with State Program Compliance Unit Staff During Investigations p. 19 - 20</p>	<p>Policy: Policy requirements include:</p> <ul style="list-style-type: none"> • Cooperate with participant investigations as directed by state staff. • Staff must not intentionally compromise or interfere with any investigation. • Don’t warn the participant or parent guardian about an investigation. • Don’t coach or direct the participant or parent guardian on what action to take or how to respond when contacted by state staff. • Don’t withhold information or destroy documents relevant to an investigation. • Don’t make any changes to the participant record except as directed by state Program Compliance Unit staff. • Don’t make any changes to participant services such as food benefit issuance, scheduled services, or future appointments except as directed by state Program Compliance Unit staff. 	

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Educational Follow-up p. 21 - 22	<p>Policy: Changed from completing educational follow-up within 30 days to within the directed timeframe of state staff.</p>	
Client Warnings	<p>Removed</p>	<p>A participant may receive a Notice of Violation and no sanction according to the Violations and Sanctions in the WAC.</p>
Clinic Staff Compliance p. 23 - 24	<p>New policy: Staff must follow WIC federal regulations, Washington WIC policies and procedures, and adhere to the contract requirements between the Washington State WIC Nutrition Program and the local agency. Policy lists key staff compliance policy chapters.</p>	
WIC Services for WIC Staff, Family or Friends p. 25 - 27	<p>Policy: Moved policy from Ch. 18 – Certification to this chapter.</p> <ul style="list-style-type: none"> • Staff volunteers or students working or volunteering in a clinic, may participate in WIC. • Staff must not certify themselves, family members or friends unless the clinic lacks adequate staff to prevent this practice. <ul style="list-style-type: none"> ○ The coordinator must get approval from the LPC before allowing this practice. ○ The coordinator must review these certification records within 2 weeks and keep documentation on file for 4 years. • Staff must not issue a WIC Card, food benefits or FMNP benefits or breast pumps to themselves, family members or friends. • A staff person, including peer counselors, must sign the Agreement for Clinic Staff yearly, which includes a WIC Participation agreement section. <ul style="list-style-type: none"> ○ Use the Agreement for Clinic Staff in the Appendix when signed “in person” ○ Use the Agreement for Clinic Staff – fillable form when signed electronically. 	

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	<p>Procedure:</p> <p>New procedure E related to the Agreement for Clinic Staff.</p> <p>E Have staff review and sign the Agreement for Clinic Staff when hired and yearly thereafter.</p> <p>E, 1 The staff person designates whether he or she is a WIC participant or the parent guardian of one on the form.</p> <p>E, 2 Use the form in the Appendix of the chapter when signed in person, use the fillable form when signed electronically.</p> <ul style="list-style-type: none"> • Use the following format for electronic signatures: /s/First and Last name. <p>E, 3 Keep the completed paper or electronic copy of the signed form for 4 years, with a minimum of 1 year in the clinic.</p>	
<p>Conflict of Interest p. 28 - 29</p>	<p>New policy</p> <ul style="list-style-type: none"> • The Coordinator must review the following conflict of interest policy with all staff and have staff sign the Agreement for Clinic Staff. • The Coordinator’s supervisor must review the policy with the Coordinator and have the Coordinator sign the agreement. • Staff must not direct or recommend participants to choose or to stay away from a specific authorized vendor to use their WIC Card and purchase food benefits. (This includes FMNP benefits.) • Staff must not receive any gratuities from an authorized vendor for personal use because he or she works for WIC. This includes cash, gift cards, food, samples, or food coupons. <p>Note: Staff can receive incentives the vendor gives to all customers (like gift cards, coupons or samples) and not because the person works for WIC.</p> <ul style="list-style-type: none"> • Staff must not have a financial or ownership interest in an authorized vendor. This includes by marriage or family relationship. 	

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	<ul style="list-style-type: none"> • Staff must sign the Agreement for Clinic Staff prior to being hired to detect potential conflicts and annually thereafter. <ul style="list-style-type: none"> ○ Use the form in the Appendix when signed in person, use the fillable form when signed electronically. ○ Keep a paper or electronic copy of the signed form for 4 years. ○ Use the following format for electronic signatures: /s/First and Last name. • The Coordinator must contact state Program Compliance Unit staff when a staff person has a conflict of interest. 	
<p>Appendix Agreement for Clinic Staff</p>	<p>New form Staff sign this form when hired and annually thereafter.</p>	<p>Use the form in the Appendix when signed in person, use the fillable form when signed electronically.</p>