



Memorandum

TO: WIC Regional Directors **#08-068**
WIC Local Agency Directors

FROM: Mike Montgomery, Section Director **(Original Signed)**
Nutrition Services Section

DATE: May 28, 2008

SUBJECT: Policy Memo: Revisions to Policy *BF:04, Breastfeeding Training* and *CS:07.0, Income Screening as a Certification Requirement*; Deletion of Policy *AC:37.0, Procurement Procedures*

This memo is to announce updates to the *WIC Policy and Procedures Manual* as follows:

AC:37, Procurement Procedures: This policy was deleted as unnecessary and duplicative to other policies with the same information.

BF:04.0, Breastfeeding Training: This policy was revised (*Procedure IV*) to clarify that all of the following individuals must receive training on breast pump issuance, inventory, control, retrieval, basic troubleshooting, assembly, use and cleaning within six months of employment and prior to issuing breast pumps to WIC participants:

- the Breastfeeding Coordinator;
- all WIC Certification Authorities (CAs); and
- any other WIC staff designated by the WIC Director or Breastfeeding Coordinator to issue breast pumps.

This is not a new requirement. *Procedure IV* was merely reworded for clarity and the effective date of the policy changed to June 1, 2008 for version control only.

- ***CS:07.0, Income Screening as a Certification Requirement:*** This policy revision is effective July 1, 2008 and will be posted to the online policy manual on or around this time. Staff may wish to enroll in the *IDL Eligibility Screening Class*, which is a policy-based class that covers the proper procedures for screening WIC applicants for eligibility based on residency, income, adjunctive income, and identification. All acceptable and allowable documentation for identification, residency, and income are also discussed. The latest changes and additions to *CS:07.0* will be covered. Following is a summary of the main changes to the policy.

- Changed the term “economic unit” to “household”
- Definitions added or revised: Household, Income, In-kind benefit, Instream migrants, Verification of Income
- Basic Procedures added for completing the WIC Income Questionnaire, WIC-35-3
- Income documentation may be used to qualify another family member if used within 60 days of certification. The 60 day period does not apply to applicants determined adjunctively income eligible.
- Explanations and clarifications provided for acceptable documentation of income
 1. Check stubs must show pay period or pay date and the employee’s name.
 2. Check stubs with a different name than applicant or household member’s name are not acceptable. Applicant shall complete the WIC-32 instead.
 3. W-2 form is valid from date issued through April 30th of same year; should reflect current income
 4. Signed statement from employer should reflect current gross income, pay period or pay date
 5. WIC-19c will be discontinued; SEU will be indicated on the WIC-35, when this form is revised. (Revised CS:10.0 will include more information)
- Examples of income calculations added for:
 1. calculating income when using checking or savings account statements
 2. calculating overtime pay
 3. calculating income for individual on unpaid leave status
 4. calculating income for individual on reduced pay leave status
- Income calculations should be exact with no rounding.
- Procedures added for assessing income for unemployed individuals
- Procedures added for special circumstances for military families when parent(s) is deployed during time of crisis.
- A fax of original income document is acceptable.
- Removed LA option to submit a local policy for other documents used for income.

If you have any questions or require further information, please contact the following:
AC:37.0, Benny Jasso, (512) 341-4400 extension 2351, or benny.jasso@dshs.state.tx.us
BF:04, Tracy Erickson, (512) 458-7111 extension 3409, or tracy.erickson@dshs.state.tx.us, or
CS:07, Your IRM Liaison, (512) 341-4411, or wicgeneral@dshs.state.tx.us, or by individual email to your Nutrition Education Liaison.

Attachments: *BF:04, CS:07*

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Effective June 1, 2008

Policy No. BF:04.0

Breastfeeding Training

Purpose

To ensure that breastfeeding (BF) is promoted and supported on a local agency (LA) level.

Authority

7 CFR Part 246.11

Policy

All WIC staff who provide direct clinic services to WIC participants shall receive initial and ongoing training on BF promotion and support.

Procedures

- I. All WIC staff who provide direct clinic services to WIC participants receive training on LA protocol regarding whom to contact to answer participant's questions on BF within one month of employment. The training may be completed by an orientation session with the BF Coordinator, WIC Director, or clinic supervisor

- II. All WIC staff who provide direct clinic services to WIC participants shall complete the Breastfeeding Promotion and Support Module within 6 months of employment with the exception of breastfeeding peer counselors (PCs), International Board Certified Lactation Consultants, Registered Dietitians, and degreed nutritionists (See policy NE: 02.0). The module can be ordered from the Texas WIC Warehouse or completed via Interactive Distance Learning (IDL) at <http://www.dshs.state.tx.us/wichd/tng/desc-bf.shtm>.

- III. All WIC staff who provide direct clinic services shall receive ongoing annual updates in BF. The ongoing BF training requirement may be

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- satisfied by all WIC staff attending an in-service on current issues in BF, a BF training, repeating a required BF training listed in procedure VI, or attending a BF conference at least once every fiscal year.
- IV. IV. The BF Coordinator and all WIC CAs shall receive training on breast pump issuance, inventory control, retrieval, basic troubleshooting, assembly, use, and cleaning within 6 months of employment and prior to issuing breast pumps to WIC participants. Any other WIC staff designated by the WIC Director or Breastfeeding Coordinator to issue breast pumps shall receive the same training. WIC staff shall receive the training listed in Procedures I, II, and V prior to issuing breast pumps to WIC participants.
- V. Breast pump training shall be satisfied by one of the following options:
- A. Successful completion of the Breast Pump Procedures Manual post-test and IDL training for each manufacturer of breast pump in inventory at the local agency. For the manual go to <http://www.dshs.state.tx.us/wichd/bf/bfwicres.shtm>.
 - B. Successful completion of IDL training for each manufacturer of breast pump in inventory at the local agency as well as IDL trainings on breast pump issuance, inventory, storage, and troubleshooting. For breast pump IDL trainings go to <http://www.dshs.state.tx.us/wichd/tng/desc-bf.shtm>.
- VI. All CAs shall complete one of the following DSHS breastfeeding trainings within 12 months of employment and repeat this training no less than every five years:
- A. Principles of Lactation Management (POLM)
 - B. Mini BF Management Program I

To find the current BF training schedule and registration instructions go to <http://www.dshs.state.tx.us/wichd/lactate/courses.shtm>.

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- VII. CAs are not required but are strongly encouraged to complete the following advanced DSHS breastfeeding trainings in this order:
 - A. Lactation Counseling and Problem Solving (LCPS) or Mini Breastfeeding Management Program II
 - B. Clinical Lactation Practicum (CLP)
 - C. Lactation Research and Policy (LRP). This is a very high-level training designed for those with some college background, those who are writing policy, and/or those who are about to sit for the International Board of Lactation Consultant Examiner's exam.

- VIII. The following prerequisites apply to DSHS BF trainings:
 - A. Mini BF Management II prerequisite: Completion of Mini Bf Management I no more than three years prior to date of Mini II training.
 - B. LCPS prerequisite: Completion of POLM no more than three years prior to date of LCPS training
 - C. CLP prerequisite: Completion of LCPS training no more than three years prior and POLM no more than five years prior to date of CLP
 - D. LRP prerequisite: Completion of POLM no more than five years prior to date of LRP training or IBCLC exam.

- VIII. WIC staff designated to issue nipples shields or supplemental nursers, with the exception of IBCLCs, shall complete IDL training on issuance of nipple shields and supplemental nursers prior to issuing these supplies. To find breastfeeding IDL trainings go to <http://www.dshs.state.tx.us/wichd/tng/desc-bf.shtm>.

- X. PCs shall be trained in accordance with SA designated PC training materials prior to working with WIC participants, have monthly meetings, and receive monthly in-services according to [Policy BF:03.0](#).

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Guidelines

For BF training requirements for WIC Certification Specialists, see [Policy CS: 16.0.](#)

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Income Screening as a Certification Requirement

Purpose

To provide documentation that an applicant's income eligibility was determined accurately.

Authority

7 CFR Part 246.7; 25 TAC §31.22

Policy

When determining program eligibility, the local agency (LA) shall determine and document the applicant's total household gross income and household size at each certification.

Applicants shall provide acceptable written documentation from the previous 60 days from the date eligibility is determined. If true income is not reflected, then income from the previous 12 months shall be considered. Only one document shall be requested for each source of income. If the applicant is currently a recipient of Food Stamps, Temporary Assistance to Needy Families (TANF), or Medicaid, refer to Policy CS:08.0.

Instream migrants with an expired Verification of Certification (VOC) shall be considered income eligible, provided their income is redetermined once every 12 months.

LAs are required to verify all information that is questionable or when verification is specifically required by this policy. In addition, an LA may require verification of any information to ensure income eligibility is determined accurately.

Definitions

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Household: all persons, related or unrelated, living together in the same dwelling, with the exception of the following special situations: pregnant woman, foster child, individuals who qualify as a separate economic unit, and residents of a homeless facility or other residential institution.

Income: Gross income earned by all members of a household, including any amount received or withdrawn from any source, including savings, unless excluded from the definition of income by federal regulations as described in [Policy CS:09.0](#). Exception: for farmers and self-employed individuals, use net income, which is the income after the deduction of business expenses.

In-kind benefit: Benefits received by the household, which are provided in the form of goods and/or services. Example: woman resides with another family and provides childcare in exchange for food and shelter. This is exclusion to income.

Instream migrants: Migrant farm workers who follow a route or agricultural work from state to state and who are currently not at their home base.

Verification of income: A process whereby the information presented by an applicant as documentation of income is validated through an external source of information other than the applicant.

Procedures

- I. At each certification, WIC applicants or parent/guardians applying on behalf of a child shall declare the number of persons that comprise the applicant's household size and provide acceptable documentation of the amount of ALL gross income received by each member of the household, unless the applicant is adjunctively income eligible, in which case income eligibility is determined under the provisions of [Policy CS:08.0](#).
 - A. The WIC Income Questionnaire (WIC Form 35-3) shall be completed at each certification. The form shall be completed prior to income determination and filed in the applicant's record

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with the Family Certification Form/WIC Program Income Screening Form (WIC-35). (See **Policy CS: 14.0**)

1. If income has been documented for one family member within the last 60 calendar days, it may be used for other family members being certified within that 60 day period. Staff shall verbally verify income has not changed.
 2. The applicant or parent/guardian shall sign and date the WIC-35-3 near the original signatures and dates from the previous income verification.
- B. Use the WIC-35 to document total household size and monthly income. The staff person who completes this information shall sign and date the WIC-35 using their official signature. Refer to **Policy CS: 14.0** for instructions on completing the WIC-35. One WIC-35 may be used to document income and household size for two or more members of a household. This form shall be easily accessible for audit/review.
1. Income shall be documented each time a family member is certified (except for instream migrants). If income has been documented for one family member within the last 60 calendar days, it may be used for other family members being certified within that 60 day period. Staff shall verbally verify income has not changed and both staff and applicant or parent/guardian shall sign and date the WIC-35 near the original signatures and dates from the previous income determination.
 2. The 60-day period does not apply to applicants who were adjunctively income eligible. (Refer to **Policy CS: 08.0**)
- C. A copy of the income document(s) shall be kept in the applicant's file containing the WIC-35.
- II. WIC applicants shall provide acceptable **written** documentation of the amount(s) of all income received by **each** member of the household. Amounts should reflect all usual gross income. Documentation shall be dated within the previous 60 days of from the date of the eligibility determination. The applicant or parent/guardian may present a copy

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or facsimile (fax) of the original document. Exceptions are identified in this policy where written documentation is not required. Only one document shall be requested from each source of income. Acceptable documents for proof of income include:

- A. **paycheck stubs** with the current amount of gross earnings.
 - 1. The paycheck stub must indicate the pay period or pay date and employee's name.
 - 2. Do not accept a paycheck stub that has a different name than the applicant's or household member's name. Allow applicant to complete a WIC-32, Applicant's Statement of Farm/Self-Employment Form. (See II. F. in this policy)
 - 3. The employer may be contacted, with the applicant's or parent/guardian's permission, to clarify information on the paycheck stubs. Information from the employer shall be used to determine income and documented on the WIC-35 form.
- B. **W-2 form**, valid from date issued through April 30 of the same year and is reflective of current income. Staff shall ask applicant or parent/guardian to confirm the form reflects current income and divide the income by the number of months employed.
- C. **signed statement from employer** (business letterhead is not required). The statement shall reflect current gross income, the pay period, and/or the pay date.
- D. **WIC-19a**, Assistance Documentation Form.
 - 1. Section I shall be completed when:
 - a. money or financial support is received from a source outside the household such as parents, relatives, or friends. If money is received occasionally, refer to Procedure II. L. of this policy.
 - b. there is more than one provider of assistance, each provider shall complete a separate WIC-19a.
 - c. the applicant receives financial assistance in addition to their wages from someone who does not reside with them.

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2. Section II shall be completed by a third party when no one in the household has a source of income and the household does not receive outside assistance.
- a. Examples of a third party include but are not limited to: staff of a church or school, social service agency, legal-aid, lawyer, public health nurse, doctor, and elected public officials.
 - b. The third-party cannot be an employee of the WIC Program, an individual related to the applicant/parent/guardian, or a member of the applicant's household. The staff shall confirm this information verbally with the applicant.
- E. **WIC-19b**, Employment Verification Form is acceptable, if the applicant and/or members of the applicant's household unit do not have acceptable documentation of wages income.
- F. **WIC-32**, Applicant's Statement of Farm/Self-Employment Form, shall be completed if an applicant or a member of the household is self-employed and does not have business records. This form may also be used if an applicant is paid in cash and the employer will not provide documentation, or the applicant cannot provide a paycheck stub in his/her name.
- G. **Bank statement**, checking or savings account statement, if reflective of current income.
Example: An applicant is living off their savings. The amount withdrawn monthly to pay for their expenses plus a month's worth of interest shall be considered as their monthly household income. The total dollar amount in savings is not to be considered. A bank statement within the previous 60 days shall be used as documentation of income.
- | | |
|---------------------------------|----------------------------|
| Total amount of savings: | \$30,000 |
| Monthly expenses for one month: | \$ 1,150 |
| One month of interest | \$ 25 |
| Total monthly income: | $\$1150 + \$25 = \$ 1,175$ |
- H. **current tax records** valid through April 14th following the year it was filed (e.g. if filed in 2006, then accept through April 14th 2007). Staff shall ask applicant/parent/guardian to verbally

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confirm the tax record reflects current income (retain a copy of the section of the documents used to determine income).

- I. **income receipt book** or other accounting records for self employed individuals (retain a copy of the section of the documents used to determine income).
- J. **foster child placement letter**; All foster children qualify for income eligibility. A verbal declaration of the amount paid to the family for the care of the foster child shall be obtained if the amount is not indicated on the placement letter. If a foster child receives income, whether from a job or outside financial resource, it must be counted in the income determination and documented on the WIC-35. Income screening shall be done at every certification for foster children, even if they have not changed foster homes. Mark "other" on the WIC-35 and record "placement letter" in the space provided. Note: Children whose caretaker receives foster care payments from the state are true foster children. Children whose caretaker does not receive payments from the state are not true foster children; therefore, screening of household income is required.
- K. **Child Support and/or Alimony**; Documentation shall be obtained **in the following order** (i.e., staff shall obtain the highest level of documentation, if it exists, with #1 constituting the highest level and so forth):
 - 1. Court order, divorce decree or information from Office of Attorney General (800-252-8014);
 - 2. Receipts or copies of checks;
 - 3. Signed and dated statement from the person providing support; or
 - 4. Signed and dated statement from person receiving support.Mark "other" on the WIC-35 and record "child support or alimony" in the space provided.
- L. **Lump Sum/New Money**: New money is money received within the previous 12 months and not received on a regular basis. Examples include, but are not limited to: gifts, inheritance, bonuses, lottery winnings. Divide the amount of

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new money received by 12 and add that amount to the monthly income. Mark "other" on the WIC- 35 and record the type of new money received in the space provided.

- M. **Other:** The following are acceptable as income and should be marked "other" on the type of Non-Gateway Income Method used on the WIC-35. Examples include, but are not limited to:
1. Workers Compensation letters, or Unemployment Insurance Benefits;
 2. Severance, pension payments, or retirement benefits;
 3. 401K or other investments;
 4. Social security and Supplemental Security Income (SSI) award letter; and
 5. Student financial aid.

III. An applicant's current rate of income shall be utilized to calculate monthly income. For exceptions, refer to Procedure IV.

- A. Only one document (check stub, etc.) shall be requested for each source of income, as long as the document is from the previous 60 days of the date eligibility is determined. If income varies and more than one document is presented, average the income from all documents provided.
- B. Documentation of income that changes only once per year; e.g., Social Security and scholarship/grant award letters, may be used during the entire year the letter covers if reflective of current income.
- C. To determine monthly income:
1. When paid by the week – multiply by 4.33
 2. When paid every two weeks – multiply by 2.165
 3. When paid twice monthly (as on 15th and 30th day) multiply by 2.
 4. When the individual presents documentation of annual income – divide annual income by 12.
 5. The calculations should be exact without any rounding.

IV. Exceptions include the following:

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$$\begin{aligned} &+ \text{Regular Pay 8mo. X } \$800/\text{mo.} (\$6400) \\ &= \$8000 \div 12 \\ &\$666.66 \text{ monthly income.} \end{aligned}$$

- D. Teachers who are paid on a 10-month basis: Use the gross annual salary of the teacher and divide by 12 to obtain an average monthly income.
 - E. College students who only work during the summer months and/or their school breaks: Take the annual gross salary of the college student and divide by 12 to obtain an average monthly income.
 - F. Self Declaration: An applicant or a parent/guardian applying on behalf of a child, who may be a victim of theft, loss, or disaster and do not have a source of income shall complete a Self-Declaration form. This form shall be filed in the client's record.
- V. Income eligibility of migrants:
- A. Certain instream migrant families with an expired Verification of Certification (VOC) shall be considered income eligible if income eligibility was determined within the previous 12 months. The date the migrant family's income was last determined shall be documented on the Family Certification Form (WIC-35).
 - B. The income eligibility of migrant families who are not instream, defined as migrant farmworkers at their home base, shall be determined and documented on form WIC-35 at each certification.
- VI. Income eligibility for unemployed individuals or for individuals who have not received their first paycheck: To assess the income eligibility of an unemployed person (whether the person quit, was fired, or experienced a lay-off) or a person who has not received his/her first paycheck, all amounts of financial support received from any of the sources listed in this policy shall be determined and appropriate documentation obtained. If the person is living off their savings refer to II. G. of this policy.

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- VII. Income eligibility of pregnant women: Refer to **Policy CS: 10.0**, Economic Unit for Income.

- VIII. After calculating an applicant's total monthly income, compare it to the income guidelines described in Policy CS: 12.0. When comparing the income to the income guidelines, do not include the cents, even if the amount is \$0.99. Do not round up or down on the dollar amount.

- IX. The LA has no responsibility to monitor the continued income eligibility of the participant during the current WIC certification period.

- X. Participants are not required to report income changes within certification periods nor are LAs required to inquire about such changes. However, if information is provided by any party during a certification period, which suggests ineligibility due to income, a reassessment of program eligibility shall be conducted during the certification period unless the information concerns possible program fraud or abuse. When fraud or abuse is suspected, refer to Policy GA: 12 for instructions on reporting to the state agency. If the individual is determined ineligible, the LA shall disqualify the individual and any other family members participating in WIC at the time of the reassessment.
 - A. Some examples of situations which trigger a mandatory reassessment by the LA include:
 - 1. family member certified and income or adjunctive income eligibility has changed;
 - 2. a change in income reported by a participant;
 - 3. a change in custody and/or household size; and/or
 - 4. employed individuals who have not received their first paycheck (see VI. B.)
 - B. Have the participant bring documentation of their continued income eligibility or eligibility in the gateway program to their next appointment.
 - 1. the individual shall be issued one month of benefits (refer to **Policy CS:23.0**) and be required to bring documentation to the next appointment.

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- 2. if the individual fails to bring the proof of income or participation in the gateway program, the individual and other family members participating in WIC at the time of the reassessment shall be disqualified from the Program.
 - C. If the individual is income eligible through adjunctive eligibility, refer to **Policy CS: 08.0**.
 - D. Refer to **Policy GA: 12.0** for instructions on handling citizen complaints about a participant's eligibility.
 - E. Refer to **Policy CR: 03.0** for guidance on a participant's right to appeal any decision, which results in the denial, disqualification, or termination of their right to participate in the Program.
 - F. LA staff shall provide written notification of termination to participant(s) found ineligible. Refer to **Policy CS: 29.0** for instructions.
- XI. Special Circumstances for income eligibility of a military family when parent(s) is deployed during times of crisis or on temporary assignment.
- A. Military personnel absent (e.g., deployed overseas) shall be counted as members of the household.
 - B. Whenever possible, a recent (within the past 120 days) Leave Earnings Statement (LES) shall be obtained as documentation of the soldier's contribution to the household's gross monthly income. If the funds are direct deposited into a bank account in lieu of having an LES statement, request a bank statement from the applicant. The applicant shall document the amount of gross income. The statement shall be signed by the applicant/parent/guardian and include a statement explaining why he/she cannot provide documentation of income.
 - C. Income exclusions when parent(s) is deployed:
 - 1. Basic Allowance for Housing (BAH), Family Separation Housing (FSH), and Overseas Housing Allowance (OHA).
 - 2. Cost of Living Allowance (COLA) only if the military person resides outside the continental United States.
 - 3. Family Subsistence Supplemental Allowance (FSSA) payments to members of the Armed Services provided by

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the Department of Defense under the provisions of Public Law 109-163, the National Defense Authorization Act for Fiscal Year 2006.

- D. Income inclusions when parent(s) is deployed or on temporary assignment:
1. Additional temporary compensation such as hazardous duty pay, combat pay, and/or family separation allowance received for the last year shall be averaged by calculating the total additional compensation received within the past 12 months. Divide this total by 12 for a monthly average.
Example: Combat pay is \$200/month, received for the last five months; \$1000 (\$200 X 5 months) is divided by 12 = \$83.33/month. Add \$83.33 to monthly income.
 2. Selective Reenlistment Bonus (SRB) and clothing allowance shall be divided by 12.
- E. When children are in temporary care of friends or relatives due to military parents being deployed or on temporary assignment:
1. Financial support is being provided by the military parents:
 - a. When the LESs are available, parents and children are a separate economic unit (SEU) within the household of the temporary caretaker. Income is assessed for the SEU.
 - b. When LESs are unavailable, the source of financial support for the children determines the documentation necessary.
 1. If financial support is being provided by the military parents, the children will be considered an SEU with income in the amount provided for their care. Written documentation from the caretaker should designate the amount received from the military parents, either in a letter or written note or in LES statements when available.
 2. If the caretaker holds a credit card for necessary expenses or has access to direct

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deposited funds, have the caretaker declare the amount being used each month to care for the child(ren). The child(ren) will be considered a separate economic unit with income in the amount declared.