

# MI-WIC POLICY

## *Eligibility/Certification*

### 2.0 Eligibility/Certification

*Effective Date: 12/01/2016*

#### 2.23 Authorized Person

**PURPOSE:** To identify who may be designated as an Authorized Person and what documentation is required. To ensure that WIC benefits are provided to the client or appropriate person applying on behalf of an infant or child client.

#### A. POLICY

1. An Authorized Person is a client receiving WIC benefits for herself or may be a person applying on behalf of a spouse, significant other, infant or child. Proof of identity is required for initial enrollment of each client and Authorized Person and proof of identity of the Authorized Person is required at each subsequent certification. (See MI-WIC Policy 2.03, Identity). An Authorized Person may be one of the following:
  - a. Pregnant, breastfeeding or postpartum woman, including minors;
  - b. Spouse or significant other of a woman client;
  - c. Parent who has custody of their child(ren);
  - d. Step-parent or caretaker who is living in the same house as the client and provides financial and parenting support;
  - e. Legal guardian awarded custody; or
  - f. Foster parent.
2. The following individuals cannot be designated as an Authorized Person for an infant or child:
  - a. Non-custodial parents, friends to include boyfriends/girlfriends, or relatives who have not been designated as proxies.
  - b. A minor enrolling another minor who is not their own biological child.
  - c. Refer to #10 for special circumstances.
3. In cases of shared custody, the Authorized Person is generally the parent who cares for the infant or child more than 50 percent of the time. If that parent is not income eligible for WIC or does not wish to apply, the other parent may apply as the Authorized Person.
4. With joint custody where the infant or child lives with each parent 50 percent of the time, the Authorized Person is the parent who applies first and is determined eligible.
5. Parental proof is required if custodial rights between the parents are in question. In a case of a custody dispute, the following actions shall be taken when applicable:
  - a. The parent disputing custody must provide documentation of custodial rights.
  - b. Issue benefits to the current Authorized Person or proxy on record, if documentation of custodial rights is not presented.
  - c. The client can be transferred from an active WIC family record to a new family record only when documentation of custodial rights is presented.
6. In any of the situations described in #1 through #5 above, the Authorized Person is informed that:

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- a. It is illegal for the client to participate in more than one WIC program (Refer to MI-WIC Policy 3.03 Dual Participation),
  - b. WIC foods are for the client and should be shared in separate households as this is in the best interest of the child (Refer to MI-WIC Policy 2.18A, MI-WIC Client Agreement).
7. The Authorized Person shall be informed of the right to a proxy and the proxy responsibilities during the certification visit. (Refer to MI-WIC Policy 8.03 Proxy Policy).
8. Non-parents, such as grandparents, wishing to be designated as the Authorized Person for an infant or child must provide proof of identification, proof of guardianship, or proof that they are the caretaker authorized by the parent to enroll the infant or child (client). Acceptable proofs include:
- a. Signed letter from the parent assigning temporary custody or authorizing the non-parent;
  - b. Court or other legal agreement;
  - c. Documentation of foster care agreement;
  - d. Documentation from another agency listing the non-parent as receiving services on the client's behalf.
9. Proof of guardianship or temporary agreement must be scanned into MI-WIC and:
- a. Will not expire unless an expiration date or timeframe for custody is documented on the proof;
  - b. May be used at subsequent certification, if still valid.
10. When documentation of proof of guardianship or temporary custody does not exist, the person with physical custody may be determined to be the guardian for purposes of issuance of WIC benefits. Benefits cannot be withheld. It may be necessary to create a new family record depending on the situation of other clients in the record. The local agency coordinator or designee shall assign a new Authorized Person if any of the following conditions exist:
- a. Infants and children are left in the care of others, such as in cases of abandonment, incarceration or incapacitation of the Authorized Person;
  - b. Attempt to acquire written or verbal permission of the current Authorized Person fails; and/or
  - c. No proxy has been designated.
11. When changes in custody are anticipated, the local agency shall document an alert in the MI-WIC record.

### **B. GUIDANCE**

1. Consult your state WIC consultant if further investigation or assistance is needed.
2. Consult with your local agency legal counsel if a situation becomes too difficult or confrontational.

Cross-reference:

- 2.03 Identity
- 2.18A Client Agreement
- 3.03 Dual Participation
- 8.03 Proxy