

# **MI-WIC POLICY**

## ***Eligibility/Certification***

### **2.0 Eligibility/Certification**

*Effective Date: 7/1/10*

### **2.20 Notification of Ineligibility, Mid-Certification Termination and Expiration of Certification**

**PURPOSE:** To describe notification requirements for clients regarding eligibility for WIC Program benefits. Notification is required at various points in the application process and during a WIC client's certification period.

#### **A. POLICY:**

1. If an applicant is found to be ineligible at certification, the client/parent/caregiver must be given written notice of ineligibility, the reason for ineligibility, and notification of the right to a fair hearing (See Policy 1.04, Fair Hearing Procedure for Clients) produced by the MI-WIC system.
  - a. Clients found to be ineligible at certification shall not receive food benefits.
2. Each client/parent/caretaker shall be notified of the end of certification through issuance of the Nutrition Education Plan at certification and each recertification. Notification of the right to a fair hearing is not required.
3. An Ineligibility notice is not required when a client fails to recertify.
4. Clients who are receiving a 'short certification' shall be given a copy of the short certification notice in clinic. They will also receive a system-generated notice fifteen days prior to the termination date of the additional information needed to complete the certification and the termination date if the necessary proofs have not been returned.
5. At least 15 days prior to the action, a written notice of ineligibility and notification of the right to a fair hearing must be given if the client:
  - a. Is terminated at mid-certification for income ineligibility (See Policy 2.21 Mid-certification Income Determination).
  - b. Is sanctioned, suspended or disqualified from the Program (See Policy 9.01 Client Compliance)
  - c. Is being terminated due to a State funding shortage (See Policy 3.02 Waiting List Maintenance for placing client on waiting list).
  - d. Is a woman who discontinues breastfeeding after 6 months post partum (See Policy 2.17, Certification Periods).
6. Written notification of ineligibility shall contain the following:
  - Date of notice
  - Client's name
  - Reason for ineligibility
  - Client's right to a fair hearing

This notice may be produced by the MI-WIC system/Print Docs feature after the reason for ineligibility is designated and termination date displayed.

7. Benefits shall be issued to a client if the benefit start date precedes the termination/certification end date.
8. If the client appeals the termination of benefits within the 15-day advance notice period, see Policy 1.04 Fair Hearing Procedure for Clients regarding continuation of benefits.
9. Wait-listed clients should be notified verbally or in writing of their placement on the Waiting List (See Policy 3.02 Waiting List Maintenance).
  - If a client has been scheduled for a certification/recertification appointment and then waitlisted, the system will send a notice.

### **B. GUIDANCE:**

1. Provide notice of ineligibility in the client's primary language, if possible. The MI-WIC system currently prints these notices in English only.
2. For clients who will become categorically ineligible (e.g., a child turning 5 years old, a woman who is non-lactating or a woman who discontinues breastfeeding after six months postpartum) a notice of ineligibility may be printed when the client is referred to CSFP or other food resources for additional services, in addition to the requirement to provide a copy of the Nutrition Education Plan. Notification of the right to a fair hearing is not required.

#### References:

Federal Regulations 246.7(g), (h), (j)(6)  
Federal Regulations 246.9  
Federal Regulations 246.12 (u) (4)-Fair Hearing

#### Cross References:

1.04 Fair Hearing Procedure for Clients  
2.21 Mid-certification Income Determination  
2.17 Certification Periods  
3.03 Waiting List Maintenance  
9.01 Client Compliance