

MI-WIC POLICY

Program Compliance

9.0 Program Compliance

Effective Date: 12/07/15

9.01A Definitions

DEFINITIONS

Authorized Person	Pregnant, breastfeeding, and non-breastfeeding postpartum women
Claim Amount	The monetary amount required to be paid by a client for benefits received improperly as a result of client fraud and abuse.
Client	A customer or a person who uses services. Michigan uses the term client/s for individuals on WIC. “Client” and “Participant” are used interchangeably in this document.
Complaint	A verbal or written allegation that a program violation has occurred by a client, employee, vendor or agency.
Complainant	Any person or group of persons who files a verbal or written complaint that alleges program abuse and fraud.
Disqualification	The act of ending the Program participation of a client, or authorized person of a child or infant, whether as a punitive sanction or for administrative reasons.
Employee	Any person(s) employed directly or indirectly with the State or a Local WIC Agency to provide services related to the WIC Program. Persons acting under contract, <i>or as a volunteer</i> , either with the State or Local Agency or another agency which has contracted to provide a WIC service, are considered to be indirectly employed and are, therefore, included in this category.
Fraud and Abuse-Client	Any intentional action of a client, parent or caretaker of an infant or child participant, or proxy that violates Federal or State statutes, regulations, policies, or procedures governing the Program. Client violations include: intentionally making false or misleading statements or intentionally misrepresenting, concealing, or withholding facts (such as income, the age of children, or the existence of children) to obtain benefits; exchanging cash-value vouchers, WIC benefits or supplemental foods for cash, credit, non-food items, or unauthorized food items, including supplemental foods in excess of those listed on the client’s food instrument; offering to sell or selling or giving away food obtained with EBT card/vouchers or posting them for sale in any form of media; threatening to harm or physically harming clinic, farmer or vendor staff; and dual participation. (7CFR 246.2, GAO/RCED-99-224) Refer to Exhibit 9.01B Violation Types/Sanctions.) This is not an exhaustive list.

Fraud and abuse – Employee	An intentional and deliberate action that violates program regulations, policies, or procedures. Actions include, but are not limited to, misappropriating benefits; altering benefits; entering false or misleading information in client records; or creating fictitious or nonexistent client files. (7CFR 246.2)
Participant	A person who takes part in something. USDA uses the term participant/s for individuals on WIC. “Client” and “Participant” are used interchangeably in this document.
Preponderance of Evidence	A more convincing amount of evidence than the other side has; the general standard of proof for finding for one side in a case; enough proof to convince the hearing official that something is more likely to have occurred than not to have occurred.
Proxy	A proxy is an individual designated by the client to pick up Food Instruments.
Restitution	Reimbursement or repayment of a claim for the value of improperly used benefits
Sanction	A penalty (or penalties) imposed upon a client or employee as a result of a substantiated violation
Substantiated	To establish by proof or competent evidence
Transfer	Hand over, pass on, make over, turn over, sign over, consign, devolve, assign, delegate
Unsubstantiated	Having no basis in reason or fact