

MI-WIC POLICY

Program Compliance

9.0 Program Compliance

Effective Date: 12/07/15

9.01B Violation Types/Sanctions

Client Violation per Federal Regulations	Client Violation	Sanction Action
Intentionally making false or misleading statements or intentionally misrepresenting, concealing, or withholding facts to obtain benefits.	Make false or misleading statements, or misrepresent, conceal or withhold information to become eligible or to continue eligibility for participation in the WIC program.	Termination from the program with 15 days advance notice and pay full restitution for benefits received.
Intentionally making false or misleading statements or intentionally misrepresenting, concealing, or withholding facts to obtain benefits.	Intentionally making false or misleading statements or intentionally misrepresenting, concealing, or withholding facts to obtain benefits.	<p>1st Offense:</p> <p>Claim amount < \$100.00 – 6 month disqualification and pay full restitution</p> <p>Claim amount ≥ \$100.00 – 1 year disqualification and pay full restitution</p> <p>Repeat Offense:</p> <p>Mandatory 1 year disqualification and full restitution</p>
<p>Exchanging cash value vouchers, food instruments or supplemental foods for cash, credit, non-food items, or unauthorized food items, including supplemental foods in excess of those listed on the participant’s food instrument.</p> <p>Selling WIC formula/foods to purchase new/different non-perishable formula</p> <p>Sale of or intent to sell, WIC foods, benefits and/or EBT cards verbally, in print or online through websites such as Craigslist, Facebook, Twitter, eBay, etc.</p>	<p>Altered EBT benefits</p> <p>Return of WIC foods to vendor for unapproved food items, non-food items, credit or cash (attempted or actual)</p> <p>Buy, trade, exchange, transfer, sell, or offer to buy trade, exchange, transfer, sell or allow any other person to buy, trade, exchange, transfer, sell or offer to buy, trade, exchange, transfer, or sell, WIC foods for unapproved food items, non-food items, cash or favors</p> <p>Buy, trade, exchange, transfer, sell, or offer to buy, trade, exchange, transfer, sell or allow any other person to buy, trade, exchange, transfer, sell, or offer to buy, trade, exchange, transfer, or sell WIC EBT card/benefits for unapproved food items, non-food items, cash or favors</p> <p>Theft of EBT card</p> <p>Allowing an unauthorized person to use EBT card</p>	<p>1st Offense:</p> <p>Unsubstantiated claim – No Sanction Re-Education/Counseling Warning Letter</p> <p>Claim amount < \$100.00 – 6 month disqualification and pay full restitution</p> <p>Claim amount > \$100.00 – 1 year disqualification and pay full restitution</p> <p>Repeat Offense:</p> <p>Mandatory 1 year disqualification and full restitution</p>

Client Violation per Federal Regulations	Client Violation	Sanction Action
Threatening to harm either directly or indirectly or physically harming clinic, farmer or vendor staff	Physical abuse (directly or indirectly carrying out the actual harm or threatening to do harm) of WIC staff, farmer or vendor staff and/or other WIC clients Destruction of property Theft from staff, farmer, vendor, or agency	Any Offense – 1 year disqualification *Notify local police authority or defer to local agency administration
Dual participation	Collusion with staff to obtain benefits improperly Dual participation – Client redeems benefits from more than one WIC, or WIC and CSFP Program during the same benefit month. Failure to repay previous claim	Any Offense – 1 year disqualification

Notes:

1. This is not an exhaustive list of potential fraud and abuse.
2. With the exception of verbal abuse, if a second client violation of any type occurs, with or without a claim, the client will receive a one-year disqualification.
3. Local agencies may allow, in consultation with the State Compliance Lead, clients to avoid mandatory disqualification if, within 30 days of receiving the Compliance Letter:
 - Full restitution is made.
 - The clinic is contacted by the client to create a repayment plan and enter into settlement agreement.
 - The clinic approves designation of a proxy for a client who is an infant, child, or under the age of 18.