

Purpose

To preserve the integrity of the certification and food delivery processes by requiring local agencies to follow standardized procedures regarding staffing of clinics and separation of duties for the prevention of fraud and abuse. To prevent conflict of interest or the appearance of conflict of interest.

**Local Agency
Employee as
Participant**

1. WIC benefits are available to any local agency staff who meets program eligibility requirements.
 2. Local agencies shall maintain a list of all WIC personnel who are participants.
 3. The WIC employee who is scheduled for a certification appointment shall notify the WIC director or clinic supervisor so that arrangements can be made for another WIC employee to certify and/or issue the food instruments.
 4. WIC employees who are WIC participants shall not complete **any** portion of their own certification procedure. A WIC staff member other than the applicant must complete the certification process. This includes assessing eligibility, determining benefits, and assigning the food package.
 5. The participating employee's checks will be printed and issued by an alternate clinic staff member.
 6. The participating employee will sign the check register in the presence of another WIC staff member.
 7. The participating employee will be placed on a regular monthly or bi-monthly schedule for receiving checks as would any other participant.
 8. Employees participating in the WIC program are expected to take part in the required number of nutrition education contacts.
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**Certification of
Employee Relatives
and Friends**

1. Clinic employees are prohibited from participating in any component of the certification process or issuing food benefits to relatives and close friends.
 2. If other personnel are not available at the site, the participant shall receive services at an alternate site or reschedule for another day when staff would be available.
 3. WIC staff shall not serve as an alternate shopper/proxy for any WIC participant.
 4. The WIC employee who has a relative or close friend scheduled for a certification appointment shall notify the WIC director or clinic supervisor so that arrangements can be made for another WIC employee to certify and/or issue the food instruments.
 5. WIC employees are allowed to provide nutrition education to relatives and close friends.
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Conflict of Interest With WIC Vendors

Any WIC employee, or employee's spouse, child parent or sibling, may not own or control more than 10% interest in a vendor-owner partnership, corporation or other legal entity.

Separation of Duties

1. Individual WIC staff are prohibited from determining eligibility for all certification criteria and issuing food instruments or supplemental food for the same participant. One staff member cannot both certify and issue benefits.
 2. A minimum of 2 staff shall be involved in the determination of client eligibility (both certifications and re-certifications) and issuing food instruments to that participant. All clinics performing certifications must be staffed with at least 2 staff persons.
 3. A clinic may offer "check pick-up only" clinics which are staffed with just one person. However no certifications can be performed during this time. Certifications and re-certifications must be scheduled during clinic hours staffed with two or more employees.
 4. Separation of duties may not be possible when the staff person is also the WIC participant or the participant is a relative or close friend of the staff member. Because the WIC employee cannot certify themselves, friends or relatives, an alternate staff member may act as the certifying authority and also issue benefits.
 5. A local agency may propose an alternate policy and procedure in writing. The state would then review the proposal to determine if it would be effective in the prevention of fraud and or detection of fraud. The local agency will be notified in writing, if the proposal is approved or denied. The local agency may not implement the alternate policy or procedure without prior approval from the State agency.
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Reporting

Alleged WIC program abuse by staff shall be reported to appropriate LA and State agency staff for investigation and resolution using the Nebraska WIC Integrity Screening Form (see Vol I, Section P).

Definitions

Employee: a person who routinely completes any portion of WIC program services or management. This includes contract staff and staff paid with other funding sources who routinely complete WIC program functions.

Employee fraud and abuse means the intentional conduct of a State, local agency or clinic employee which violates program regulations, policies or procedures, including, but not limited to, misappropriating or altering food instruments, entering false or misleading information in case records, or creating case records for fictitious participants. Abuse may include but is not limited to: the sale or exchange of supplemental foods or food instruments to other individuals or entities; falsifying certification documents in order to obtain/provide food benefits; intentionally sharing computer passwords with co-workers for the purposed of illegally issuing

**Definitions
(cont.)**

food benefits; threatening to harm or physically harming participants and or local agency, vendor or State agency staff.

Relative: a person connected to another person by blood or marriage including spouses, parents, children, grandchildren, grandparents, brothers, sisters, aunts, uncles, nieces, nephews, first cousins, stepparents, stepchildren, stepbrothers, and stepsisters.

Close Friend cannot be defined in a way that fits every situation; therefore, local agencies have authority to determine if a WIC applicant or participant is a close friend of a local agency WIC employee.

Separation of duties: the division of work tasks within the certification process so that one employee does not complete the income eligibility determination, nutrition risk assignment and the issuance of benefits all for the same participant.

It is acceptable for one staff member to conduct part of the certification, ie determine nutrition risk and also issue benefits, if another staff member determines income eligibility.