

Division of Community Nutrition

<i>Subject:</i> Income Eligibility		<i>Policy:</i> CRT 05.2
<i>Reference:</i> C.F.R. § 246.7	<i>Effective:</i> August 12, 2013	<i>Supersedes:</i> August 31, 2007

I. Policy:

It is the policy of the Division of Community Nutrition that applicants who are not adjunctively financially eligible shall have financial eligibility determined using the Federal Income Guidelines. WIC personnel shall determine financial eligibility and document the decision in the applicant's record.

II. Procedure(s):

- A. The financial eligibility status of a participant does not need to be re-evaluated during the certification period, unless a documented change from previous income eligibility information comes to the attention of the local agency. If this occurs and the local agency determines that a participant is over income during the certification period, the entire family shall be disqualified from the program and issued a Letter of Ineligibility, WIC-315. This does not apply to individuals who were financially eligible based on adjunctive eligibility.
- B. For persons claiming to have zero income, refer to CRT 05.2.2 on addressing gross income.
- C. For determining income eligibility, local agency personnel shall use the applicant's current or annualized income, whichever is the best indicator of current circumstances.
- D. The size of the economic unit shall be determined. An economic unit shall have its own source of income and the income shall be adequate to sustain the economic unit. For purposes of the WIC Program, the terms "household," "economic unit," and "family" can be used interchangeably.
 1. An infant / child is counted in the economic unit of the parent / legal guardian with whom they reside.
 2. Count all persons (related or unrelated) who share income as the economic unit. More than one economic unit may reside under the same roof. Two or more economic units that reside under the same roof shall be counted as separate units. For persons living in a residence with others (other than institutional and homeless settings), staff shall establish whether or not more than one economic unit lives under one roof through appropriate questioning to make a reasonable determination as to whether or not there is general economic independence of the units, i.e., that financial resources and support are retained independently.

The following questions need to be addressed to determine if an applicant is an economic unit of one, or is part of a larger economic unit:

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- a) Is the applicant responsible for all, or a portion of, his / her own expenses and bills?
 - b) What type of income does s/he receive?
 - c) Who provides the food and clothing?
 - d) Is s/he primarily independent and receives some goods or services or do the goods and services received result from sharing of income with other individuals?
3. Include the number of fetus(es) in determining the economic unit for a pregnant woman.
- a. Verification of a pregnancy with one fetus is not required in accordance with CRT 02.0.
 - b. An applicant claiming multiple fetuses shall have the stated number used at the time of certification, but is required to provide written verification by a physician or nurse practitioner working under the supervision of a physician within sixty (60) days of certification in accordance with CRT 02.0. Failure to provide verification within the required period of time shall require that personnel recalculate the economic unit using one fetus and determine financial eligibility for continuation or termination of WIC benefits.
 - c. Proof of multiple fetuses shall be documented in Crossroads when provided.
4. If an infant / child resides in a school or institution, and the majority of financial support is provided by the parent / legal guardian the infant / child shall be counted in the economic unit of the parent / legal guardian.
5. If legal / physical custody is shared by parents living in separate households, only the economic unit and financial eligibility information for the parent with primary legal/physical custody shall be used to determine eligibility. The State WIC Office may be contacted if primary legal / physical custody is not able to be determined.
6. If an infant / child is in the temporary care of friends or relatives but the payee(s) are providing the majority of support, infant / child shall be counted in the economic unit of the parent / legal guardian.
- E. Consideration of the child / infant as an economic unit of one.

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1. If an infant / child resides in a foster home as the result of legal placement by a government social services agency, the infant / child shall be counted as an economic unit of one.
 2. If an infant / child has his / her own source of income which is adequate to provide the majority of support, the infant / child shall be counted as an economic unit of one.
 3. A court declared emancipated minor is responsible for his / her own debts and shall be considered an economic unit of one. A minor is an individual less than eighteen (18) years of age. The minor shall present his / her Court Declaration of Emancipation, which shall be scanned into Crossroads.
 4. A minor who states s/he is emancipated, but has no court declaration shall present proof of income received for financial eligibility determination, and document that s/he is responsible for the majority of his / her own support (food, clothing, housing, medical). The documentation of self support provided shall be noted in Crossroads. WIC personnel shall then determine if the majority of support is provided by the minor in order to count him / her economic unit of one.
- F. A person who contributes financially to the family and is considered part of the household, but is required by work or other reason (e.g., military personnel, seasonal workers construction workers) to live elsewhere is considered a member of the economic unit.
- G. Students who receive the majority of basic living necessities such as food, shelter, medical care and clothing from their parent(s) / legal guardian shall be included in the economic unit of their parent(s) / legal guardian.