

## Division of Community Nutrition

<i>Subject:</i> <b>Proxy</b>		<i>Policy:</i> <b>PRR 02.0</b>
<i>Reference:</i> <b>CFR §246.7</b>	<i>Effective:</i> <b>November 1, 2015</b>	<i>Supersedes:</i> <b>August 12, 2013</b>

### I. Policy:

A participant, parent or legal guardian (“participant”) may have the privilege, but not the right, to designate a maximum of two (2) proxies. A proxy may accept and redeem food benefits. The proxy must attend nutrition education to obtain food benefits. The participant and proxy are not required to be present together when the participant designates the proxy. The parent is always encouraged to be the primary recipient of all WIC benefits for their infants / children.

### II. Procedure(s):

- A. Local agency personnel shall only discuss the option of designating a proxy if the participant, parent / legal guardian indicates one of the following situations:
  - a. The participant, parent / legal guardian expresses difficulty with attending the local agency for nutrition education, WIC food benefits, or
  - b. The local agency determines difficulty with the participant, parent / legal guardian attending the local agency through objective methods such as the no show reports, missed appointments, or frequently rescheduled appointments, or
  - c. The local agency determines difficulty with the participant, parent / legal guardian attending the local agency during established alternative hours
- B. If the participant elects to designate a proxy, the participant shall read and sign the Proxy Designation Form, WIC-314A. The local agency shall also sign and scan this form into the family record.
  - 1) The participant’s signature on the WIC-314A confirms that s/he has been informed of the following:
    - a. The proxy is required to attend all nutrition education sessions prior to obtaining food benefits
    - b. The proxy is required to share all nutrition education and health care referrals with the participant
    - c. The participant shall be legally responsible for all actions of the proxy, including actions that would terminate her / him from the WIC Program

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- d. The State WIC Office shall establish a claim against the participant for the full value of Program benefits which have been improperly obtained or disposed by the proxy
  - e. A proxy does not have the requisite knowledge and therefore shall not be permitted to bring an infant/child in for any mid-certifications.
- C. The participant and proxy are not required to be present together when the participant designates the proxy.
- D. The local agency shall verify that the proxy is over 18 years of age. Proxies under the age of 18 may only be approved at the discretion of the CPA.
- E. The proxy shall read and sign the Proxy Signature Form, WIC-314B. The local agency shall sign and scan this form into the family record.
- 1) The proxy's signature on the WIC-314B confirms that s/he has been informed of the following:
    - a. S/he is responsible to follow all Program rules
    - b. S/he is required to attend all nutrition education sessions before receiving food benefits
    - c. S/he is responsible for sharing all received nutrition education, and / or other health related and public assistance program information received from WIC with the participant
    - d. S/he is responsible for following food benefits usage procedures and failure to do so will be considered Program abuse
    - e. S/he may be a proxy for a maximum of (3) families
    - f. S/he has the right to file a Program complaint about improper vendor and agency practices
    - g. S/he is required to pick up the food benefits in person when scheduled for nutrition education, unless the alternative issuance system is appropriate, and
    - h. S/he shall bring proof of identification in accordance with CRT 03.0, which will be checked prior to any services being provided

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- F. Review food benefits usage procedures with the proxy and provide a WIC Participant Handbook to the proxy.
- G. Local agency personnel shall sign the Proxy Designation Form, WIC-314A, and the Proxy Signature Form, WIC-314B and document the proxy's name in the Family Demographics section of Crossroads.
- H. To designate a proxy in hardship cases dealing with disability see policy CRT 01.0.
- I. All signed WIC-314A and WIC-314B forms shall be scanned into Crossroads.
  - a. If the proxy is serving for more than one participant, scan a copy of the Proxy Signature Form, WIC-314B in each participant's record. An individual cannot serve as proxy for more than three (3) families.
- J. A proxy may be changed as necessary. For a proxy change, the participant and new proxy shall return to the local agency to complete both Proxy Forms.
- K. Infants and children may be added without re-designating the proxy by updating the current Proxy Form.