

eWIC New Hampshire WIC Policy & Procedure Manual

Chapter 9 FOOD DELIVERY AND FOOD INSTRUMENT ACCOUNTABILITY AND CONTROL

C. Special Food Instrument Benefit Issuance

Replacement of Benefits due to Custody or Guardianship Changes

Purpose	To provide benefits to infant and/or children whose payee or guardian changes due to a custody change.
Policy	To replace benefits due to a change of custody of a child or infant, in order to assure adequate nutrition is provided.
Authority	NH WIC State Policy
Procedure	<ol style="list-style-type: none">1. The local agency staff person shall request a legal document from the court system or a State agency (such as DCYF) to confirm guardianship when the infant or child has been transferred to another individual as their payee, guardian, or caregiver. No replacement eWIC card or benefits shall be issued without such document; telephone calls and handwritten notes are not adequate documentation. Contact should be made with the State Agency if there is a question about the legality of specific documents.2. If there is a custody dispute, the eWIC card and benefits should be issued to the guardian listed in the record. The person disputing guardianship must supply records to the local agency that prove they are the current guardian. Issue eWIC benefits one month at a time until the dispute is resolved. Benefits may not be withheld based on staff suspicions related to a custody dispute.3. Documentation of replacement benefits being issued should be done in StarLINC, including notes concerning the change in guardianship.4. The new guardian or caregiver shall read and sign the Rights and Rules form, and receive education on the proper use of the eWIC card and proper redemption of benefits.5. eWIC cards may not be mailed under any circumstances with a custody or guardianship change.6. Documentation of replacement benefits for formula fed infants. If an infant has a change of custody and the previous caregiver or foster parent has purchased all the formula from the current month benefit account and did not send any formula with the infant, the local agency Nutritionist will determine how much formula to issue based on the amount of days left before the next month of benefits start.

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7. All actions must be documented in the administrative notes section of the participant's certification record in StarLINC.
8. In cases of shared guardianship, issue the eWIC card and benefits to the parent or guardian with whom the infant or child lives with the majority of the time. If such guardian is not income eligible or does not want to apply for WIC benefits, the other guardian may apply for WIC if they are eligible and responsible for providing meals for the infant or child.
9. In cases of joint guardianship where the infant or child lives with each parent or guardian 50% of the time, issue the eWIC card and benefits to the parent or guardian who applies first for WIC. The caregivers will need to decide how to distribute the benefits between the two households for the infant or child.