

New Hampshire WIC Policy & Procedure Manual

Chapter 8. CERTIFICATION, ELIGIBILITY & COORDINATION OF SERVICES

A. Eligibility Determination & Documentation

Proof of Income

Purpose Staff shall check and document proof of income and household size for each WIC applicant or participant at certification and re-certification appointments, and/or verify income if it has changed, is questionable or if false information is evident or suspected during a certification period.

Policy Each WIC applicant or participant is required to provide documentation of household income or proof of adjunctive eligibility, in order to protect program integrity.

Authority 7 CFR 246.7(d), USDA WIC Policy Memo #2013-3

Procedure Local agency staff shall require and document proof of household income and household size for all individuals when determining income eligibility at certification and re-certification appointments.

In order to assess adjunctive eligibility the initial income screening shall include verification of participating in Medicaid, SNAP/Food Stamps and/or TANF.

Household size is a person or group of people, related or not, who live together, and whose income and consumption of goods or services are related and who are not residents of an institution.

The key consideration in determining when individuals or groups are a household (or economic unit) is whether they generate an income sufficient to sustain them, e.g., room, board and food.

It is acceptable to ask the participant who the household members are if it is greater than the number of participants on the WIC Program, if the number seems high, or if it has changed since their last certification period.

A pregnant woman living with a parent or guardian may qualify as their own economic unit if they have an income sufficient to support them self or are adjunctively eligible.

When determining a household size, pregnant women *may* be counted as two, or more for expected multiple births. Local agency however must perform an income eligibility determination without including the unborn fetus or embryos as part of the economic unit in order to determine if they are eligible or ineligible first. A pregnant woman who is ineligible for participation in the program because she does not meet income guidelines shall be considered to have satisfied the income

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guidelines if the guidelines would be met by increasing the number of individuals in her family by the number of embryos or fetuses in utero per her preference. The family size, with or without the unborn fetus/embryos as requested, would apply when determining eligibility for all family members

A foster child shall be considered a household size of one. The income of the foster child shall be zero. Use adjunctive eligibility when applicable.

The local agency shall follow the documentation in the StarLINC income verification screen for a foster child when

either adjunctive eligibility and/or zero income:

- Source Description: Foster Child
- Period: Monthly
- Amount: 0
 - Proof (if adjunctive eligible): Medicaid, Food Stamps Or TANF
- Proof (if not adjunctive eligible): Foster Child Placement/ Foster Parent Award Letter

In determining the income eligibility of an applicant, the local agency shall require 30 days' worth of income. Current income includes all income received in the past 30 days. If the income is being done prospectively (i.e. the sole provider of the family has been laid off but has been authorized to receive unemployment benefits), the current income refers to income that will be available to the family in the next 30 days.

Proof of current income must include all household income for 30 days, retrospective or prospective, depending on the household situation.

Proof of income can be 2 bi-weekly paystubs, 4 weekly paystubs, or 1 monthly paystub for each source of income. Income for 28 days will meet the 30 day federal requirement for proof of income.

The Local agency shall document the full 30 days of income presented at application, in addition to each source of income for each working member of the household.

Income shall mean current gross income, including overtime, before deductions for income taxes, employees' social security taxes, insurance premiums, retirement contributions, bonds, and any other deductions made by the employer or the request of the individual. The determination of the amount of a household's gross income shall not be reduced for any reason (e.g. financial hardships, medical bills, child support).

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Persons indicating self-employment shall show proof of net income, or profit. The applicant shall show proof of the previous year's W-2.

Persons showing proof of current enrollment in TANF, SNAP/food stamps, or Medicaid are considered adjunctively or automatically income eligible. See policy on Adjunctive Eligibility for more information.

Local agencies shall document the determination of income eligibility in StarLINC for WIC.

Income includes the following:

1. Monetary compensation for services, including wages, salary, commissions, or fees;
2. Net income from farm and non-farm self-employment;
3. Social security benefits;
4. Dividends or interest on savings or bonds, income from estates or trusts, or net rental income;
5. Public assistance or welfare payments;
6. Unemployment compensation;
7. Government civilian employee or military retirement or pensions or veterans' payments;
8. Private pensions or annuities;
9. Alimony or child support payments;
10. Regular contributions from persons not living in the household;
11. Net royalties; and
12. Other cash income. Other cash income includes, but is not limited to cash amounts received or withdrawn from any source including savings, investments, trust accounts and other resources which are readily available to the family, as well as gifts, inheritances, lottery winnings, workmen's compensation for lost income, and severance pay. Such income shall be calculated as annual income rather than current monthly income.

Unemployment

Persons from households with adult members who are unemployed shall be eligible based on income during the period of unemployment if the loss of income causes the current rate of income to be less than the income guidelines for program eligibility.

The following are payments or benefits which shall be excluded from consideration as income:

1. Basic allowance for housing received by military services personnel residing off military installations or in privatized

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- housing, whether on- or off-base;
2. Cost-of-living allowance provided under 37 U.S.C. 405, to a member of a uniformed service who is on duty outside the contiguous states of the United States;
 3. Combat pay is defined as an additional payment made under Chapter 5 of Title 37 of the United States Code.
 4. The value of in-kind housing and other in-kind benefits for military services personnel.
 5. Payments received by members of the Armed Forces and their families under the Family Supplemental Subsistence Allowance from the Department of Defense (Pub. L. 109–163, sec. 608);
 6. Loans, not including amounts to which the applicant has constant or unlimited access;
 7. Payments or benefits provided under certain Federal programs or acts;
 8. Reimbursements from the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Pub. L. 91–646, sec. 216, 42 U.S.C. 4636);
 9. Any payment to volunteers under Title I (VISTA and others) and Title II (RSVP, foster grandparents, and others) of the Domestic Volunteer Service Act of 1973 (Pub. L. 93–113, sec. 404(g), 42 U.S.C. 5044(g)) to the extent excluded by that Act;
 10. Payment to volunteers under section 8(b)(1)(B) of the Small Business Act (SCORE and ACE) (Pub. L. 95–510, sec. 101, 15 U.S.C. 637(b)(1)(D));
 11. Income derived from certain sub-marginal land of the United States, which is held in trust for certain Indian tribes (Pub. L. 94–114, sec. 6, 25 U.S.C. 459e);
 12. Payments received under the Job Training Partnership Act (Pub. L. 97–300, sec. 142(b), 29 U.S.C. 1552(b));
 13. Income derived from the disposition of funds to the Grand River Band of Ottawa Indians (Pub. L. 94–540, sec. 6);
 14. Payments received under the Alaska Native Claims Settlement Act (Pub. L. 100–241, sec. 15, 43 U.S.C. sec. 1626(c));
 15. The value of assistance to children or their families under the National School Lunch Act, as amended (Pub. L. 94–105, sec. 9(d), 42 U.S.C. sec. 1760(e)), the Child Nutrition Act of 1966 (Pub. L. 89–642, sec. 11(b), 42 U.S.C. sec. 1780(b)), and the Food Stamp Act of 1977 (Pub. L. 95–113, sec. 1301, 7 U.S.C. sec. 2017(b));
 16. Payments by the Indian Claims Commission to the Confederated Tribes and Bands of the Yakima Indian Nation or the Apache Tribe of the Mescalero Reservation (Pub. L. 95–433, sec. 2, 25 U.S.C. 609c–1);
 17. Payments to the Passamaquoddy Tribe and the Penobscot Nation or any of their members received pursuant to the Maine Indian

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- Claims Settlement Act of 1980 (Pub. L. 96–420, sec. 6, 9(c), 25 U.S.C. 1725(i), 1728(c));
18. Payments under the Low-income Home Energy Assistance Act, as amended (Pub. L. 99–125, sec. 504(c), 42 U.S.C. sec. 8624(f));
 19. Student financial assistance received from any program funded in whole or part under Title IV of the Higher Education Act of 1965, including the Pell Grant, Supplemental Educational Opportunity Grant, State Student Incentive Grants, National Direct Student Loan, PLUS, College Work Study, and Byrd Honor Scholarship programs, which is used for costs described in section 472 (1) and (2) of that Act (Pub. L. 99–498, section 479B, 20 U.S.C. 1087uu). The specified costs set forth in section 472 (1) and (2) of the Higher Education Act are tuition and fees normally assessed a student carrying the same academic workload as determined by the institution, and including the costs for rental or purchase of any equipment, materials, or supplies required of all students in the same course of study; and an allowance for books, supplies, transportation, and miscellaneous personal expenses for a student attending the institution on at least a half-time basis, as determined by the institution. The specified costs set forth in section 472 (1) and (2) of the Act are those costs which are related to the costs of attendance at the educational institution and do not include room and board and dependent care expenses;
 20. Payments under the Disaster Relief Act of 1974, as amended by the Disaster Relief and Emergency Assistance Amendments of 1989 (Pub. L. 100–707, sec. 105(i), 42 U.S.C. sec. 5155(d));
 21. Payments received under the Carl D. Perkins Vocational Education Act, as amended by the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990 (Pub. L. 101–392, sec. 501, 20 U.S.C. sec. 2466d);
 22. Payments pursuant to the Agent Orange Compensation Exclusion Act (Pub. L. 101–201, sec. 1);
 23. Payments received for Wartime Relocation of Civilians under the Civil Liberties Act of 1988 (Pub. L. 100–383, sec. 105(f)(2), 50 App. U.S.C. sec. 1989b– 4(f)(2));
 24. Value of any child care payments made under section 402(g)(1)(E) of the Social Security Act, as amended by the Family Support Act (Pub. L. 100–485, sec. 301, 42 U.S.C. sec. 602 (g)(1)(E));
 25. Value of any “at-risk” block grant childcare payments made under section 5081 of Pub. L. 101–508, which amended section 402(i) of the Social Security Act;
 26. Value of any childcare provided or paid for under the Child Care and Development Block Grant Act, as amended (Pub. L. 102–586, Sec. 8(b)), 42 U.S.C. 9858q);

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27. Mandatory salary reduction amount for military service personnel which is used to fund the Veteran's Educational Assistance Act of 1984 (GI Bill), as amended (Pub. L. 99-576, sec. 303(a)(1), 38 U.S.C. sec. 1411 (b));
28. Payments received under the Old Age Assistance Claims Settlement Act, except for per capita shares in excess of \$2,000 (Pub. L. 98-500, sec. 8, 25 U.S.C. sec. 2307);
29. Payments received under the Cranston-Gonzales National Affordable Housing Act, unless the income of the family equals or exceeds 80 percent of the median income of the area (Pub. L. 101-625, sec. 522(i)(4), 42 U.S.C. sec. 1437fnt);
30. Payments received under the Housing and Community Development Act of 1987, unless the income of the family increases at any time to not less than 50 percent of the median income of the area (Pub. L. 100-242, sec. 126(c)(5)(A), 25 U.S.C. sec. 2307);
31. Payments received under the Sac and Fox Indian claims Agreement (Pub. L. 94-189, sec. 6);
32. Payments received under the Judgment Award Authorization Act, as amended (Pub. L. 97-458, sec. 4, 25 U.S.C. sec. 1407 and Pub. L. 98-64, sec. 2(b), 25 U.S.C. sec. 117b(b));
33. Payments for the relocation assistance of members of Navajo and Hopi Tribes (Pub. L. 93-531, sec. 22, 22 U.S.C. sec. 640d-21);
34. Payments to the Turtle Mountain Band of Chippewas, Arizona (Pub. L. 97-403, sec. 9);
35. Payments to the Blackfeet, Grosventre, and Assiniboine tribes (Montana) and the Papago (Arizona) (Pub. L. 97-408, sec. 8(d));
36. Payments to the Assiniboine Tribe of the Fort Belknap Indian community and the Assiniboine Tribe of the Fort Peck Indian Reservation (Montana) (Pub. L. 98-124, sec. 5);
37. Payments to the Red Lake Band of Chippewas (Pub. L. 98-123, sec. 3);
38. Payments received under the Saginaw Chippewa Indian Tribe of Michigan Distribution of Judgment Funds Act (Pub. L. 99-346, sec. 6(b)(2));
39. Payments to the Chippewas of Mississippi (Pub. L. 99-377, sec. 4(b)); and
40. Payments received by property owners under the National Flood Insurance Program (Pub. L. 109-64).

Exception

A participant/applicant may qualify for an exception, within the allowed guidelines, if providing proof of income creates a barrier to participation.

Income documentation is required except in limited circumstances where requiring proof would create an unreasonable barrier to

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receiving services such as for a homeless individual, a migrant farm worker or a person who works for cash. If requiring a participant/applicant to provide written income documentation would present an unreasonable barrier to participation, the participant/applicant may self-declare income in StarLINC and complete the required Self-Declaration form, accompanied by the applicant's signature and reason why the documentation cannot be provided. See Self Declaration form and No Proof of Income policy. This may also include a participant/applicant, parent or guardian who was a recent victim of theft, loss, or a disaster.

If an applicant does not meet one of the above exception categories and fails to bring proof of income, the local agency may, if determined that the applicant meets all other eligibility criteria, provide a temporary (up to 30 days) certification based on self-declaration (Proof pending/Temporary status in StarLINC) via a signed proof pending statement from the applicant and provided with an appointment and letter indicating what is needed to complete the certification. If the applicant fails to provide documentation within the temporary 30 day certification period, under no circumstance may a subsequent 30 day certification period or benefits be provided. If the applicant provides documentation and is found to be over the WIC income limit, the individual shall be determined ineligible and not provided any additional benefits. While the applicant would have appeal and fair hearing rights, the agency is not required to provide advance notice of this action and the individual may not receive food benefits pending the appeal decision.