

POLICY AND PROCEDURE MANUAL

3. Clinic Operations.

3.05. Services to Special Populations

A. POLICY:

1. Persons residing in schools, maternity homes, temporary shelters, or any other residential facilities where meals are provided as part of the usual services are eligible to participate in the program if they meet program eligibility criteria. Such persons are eligible even though they may receive Supplemental Nutrition Assistance Program (SNAP) or other forms of food assistance.
2. A homeless facility is defined as a supervised publicly or privately operated shelter (including a welfare hotel or congregate shelter) designed to provide temporary living accommodations, a facility that provides a temporary residence for individuals intended to be institutionalized, or a public or private place not designed for, or normally used as, a regular sleeping accommodation for human beings.
3. A homeless person is defined as a woman, infant, or child
 - a. Who lacks a fixed and regular nighttime residence;
 - b. Whose primary night time residence is defined in Section A.2 above; or
 - c. Who temporarily resides in the residence of another individual (but not more than 365 days).
4. To assure that the program benefits the participant rather than the facility, and to ensure that the person participates in the program in the same manner and to the same degree as other participants, the following criteria must be met by the facility:
 - a. The facility may not gain financial or in-kind benefit from a person's participation in the program such as by transferring WIC food to general inventory or by reducing the quantity of food provided to WIC participants;
 - b. Foods purchased with WIC vouchers may not be used in communal feeding;
 - c. The facility may not place constraints on the ability of the participant to partake of supplemental foods and all associated services made available by the local WIC program.
5. Whenever possible, local agency staff shall meet with homeless facilities to familiarize them with WIC program requirements.
6. WIC program staff are not required to routinely monitor facilities for compliance with the criteria in Section A.4; however, they shall do so if they have any questions or concerns or residents report problems. Monitoring may include informal visits, telephone calls, or letters to the facility. It does not require a structured review of operations.
7. The local agency shall request a compliant facility to inform them any time they are no longer able to comply with the criteria in Section A.4 above.
8. As soon as the local agency determines that a homeless shelter no longer meets the criteria in Section A.4, it shall notify participants residing there of the fact. These persons may continue to receive benefits until the end of their certification period.
 - a. If the shelter remains non-compliant, the affected participants may be re-certified and continue to receive nutrition education and health care referral services; however, the local agency shall discontinue issuing food benefits (except formula) until the shelter again meets the criteria or the participant relocates.
 - b. New persons coming to the shelter after it is determined to be out of compliance with Section A.4 above are not eligible to receive WIC food benefits.
 - c. When no alternative shelters are available for participants to move to, participants may continue to receive all program benefits while residing at a non-compliant shelter.

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Reference(s):

1. USDA Memo 97-044.
2. Federal Register Vol. 54, December 14, 1989, p. 51289.
3. Federal Register Vol. 57, August 5, 1992, p. 34500.
4. WIC Regulations: 7CFR Part 246.2 and 346.7 (n).

Policy and Procedure Status:

1. This P&P supersedes P&P Number 2.18, dated April 26, 1999.