

LOCAL AGENCY NONCOMPLIANCE AND ABUSE RESPONSE GUIDE

Participant Violation/Fraud	*Sanction (Refreshed every three years)
Minor Abuse	
Attempted/Used food benefits at a non-WIC store	<p>1st Violation - Warning letter</p> <p>2nd Violation - Warning letter and repayment</p> <p>3rd Violation* - 3 month disqualification and barred from any WIC clinic during the disqualification period</p> <p>4th Violation* - 1 year disqualification* and barred from any WIC clinic during the disqualification period</p> <p>Note: The 2nd, 3rd, and 4th sanctions will result for any subsequent abuse/violation of those listed above (it does not have to be the same violation/abuse to receive a 2nd, 3rd or 4th sanction).</p> <p>List of participant violations may not be comprehensive. Contact State Agency Clinic Operations Section for guidance.</p>
Receiving a rain check for WIC foods	
Failure to follow Program Rules; including repeated loss of eWIC card.	
Major Abuse	
Verbally abusing WIC staff or vendor staff such as using inappropriate language, yelling or name-calling (includes throwing something though it is not directed toward WIC or vendor staff)	<p>1st Violation* - 3 month disqualification and barred from any WIC clinic during the disqualification period</p> <p>2nd Violation* - 6 month disqualification and barred from any WIC clinic during the disqualification period</p> <p>3rd Violation* - 1 year disqualification and barred from any WIC clinic during the disqualification period</p>
Physical confrontation/abuse with clinic or store staff or other clients/customers (clinic staff should report to police)	<p>1st Violation* - 1 year disqualification and barred from WIC clinic during the disqualification period</p>
Verbally threatening clinic/store staff or other client/customer with physical force (includes throwing something in the direction of the clinic or store staff or another client/customer) (clinic staff should report to police)	<p>1st Violation* - 6 month disqualification and barred from any WIC clinic during the disqualification period</p> <p>2nd Violation* - 1 year disqualification and barred from any WIC clinic during the disqualification period</p>
Theft of WIC equipment, supplies, checks or formula OR personal belongings of WIC staff, client or visitor in clinic (clinic staff should report to police)	<p>1st Violation* - 1 year disqualification and barred from any WIC clinic during the disqualification period</p>
Intentional damage to clinic or store property (clinic staff should report to police)	<p>1st Violation* - 1 year disqualification and barred from any WIC clinic during the disqualification period</p>
One month of dual participation (or less) where double benefits received due to transfer, custody issue, etc.	<p>1st Violation – Immediate termination from all but one (1) program/agency received.</p>

*Note: When the participant being disqualified is an infant or child, the Caregiver is the one to be disqualified. The infant or child can continue to receive benefits and participate during disqualification if another Responsible Adult or proxy is designated and approved by the SA or LA.

Participant Violation/Fraud	*Sanction (Refreshed every three years)
<p>Intentional dual participation in WIC Participating in at least two programs/agencies in the same month through intentional misrepresentation. This applies to ≥ 1 month's worth of benefits (prorated or full).</p> <p>Falsely reporting or intentionally making false or misleading statements or withholding facts to obtain benefits including, but not limited to identity, income, residence, family size, health status, custody, falsification of medical data or pregnancy, date of birth.</p>	<p>Each Violation* - 1 year disqualification from all local agencies during the disqualification period with restitution claim. Restitution can be made in full or incrementally within a term not to exceed 12 months. (A payment plan can be arranged with the Local Agency Coordinator with regular monthly payments over a 12-month term.)</p> <p>An adult participant or caregiver's disqualification may be terminated before the mandatory 1 year term once full restitution is made.</p>
<p>Falsely reporting, receiving food benefits or cashing checks for a client that does not exist, does not reside in the household, is no longer in your custody or is otherwise not ingesting the foods</p>	<p>1st Violation* - For Claims $< \\$100$: 3 month disqualification AND barred from any WIC clinic during the disqualification period For Claims $\geq \\$100$: 1 year disqualification AND barred from any WIC clinic during the disqualification period OR Full restitution made immediately OR Payment plan set up with Local Agency Coordinator AND regular monthly payments are received as planned AND monthly issuance until full payment received.</p>
<p>Attempting to receive or actually receiving cash or credit from vendors toward purchase of unauthorized food or other items of value in lieu of authorized foods</p>	<p>2nd Violation* -</p>
<p>Attempting to redeem or actually redeeming food benefits for alcohol or tobacco</p>	<p>For Claims $< \\$100$: 1 year disqualification AND barred from any WIC clinic during the disqualification period AND Full restitution of redemption value</p>
<p>Attempting to sell or exchange or actually selling or exchanging food benefits or food for cash, credit, goods, services, or housing</p>	<p>For Claims $\geq \\$100$: 2 year disqualification AND barred from any WIC clinic during the disqualification period AND Full restitution of redemption value</p>
<p>Attempting to give away or giving away and/or not providing benefits to client including but not limited to not providing formula or other foods received on the program to the infant/child that the formula/foods were issued to.</p>	<p>1st Violation* For Claims $< \\$100$: 3 month disqualification AND barred from any WIC clinic during the disqualification period For Claims $\geq \\$100$: 1 year disqualification AND barred from any WIC clinic during the disqualification period</p>
<p>Attempting to traffic or actually trafficking food benefits or foods for money</p>	<p>OR Full restitution made immediately</p>
<p>Attempting to purchase or purchasing non-food item with WIC food benefits</p>	<p>OR Payment plan set up with Local Agency Coordinator AND regular monthly payments are received as planned AND monthly issuance until full payment received</p>
<p>Attempting to use or using another person's WIC food benefits without permission</p>	<p>Payment plan set up with Local Agency Coordinator AND regular monthly payments are received as planned AND monthly issuance until full payment received</p>

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