STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES

DIVISION OF PUBLIC ASSISTANCE

SEAN PARNELL, GOVERNOR

FAMILY NUTRITION PROGRAMS -- JUNEAU
130 Seward Street, Suite 508
P.O. BOX 110612
JUNEAU, ALASKA 99811-0612
PHONE: (907) 465-3100
FAX: (907) 465-3416

Reply to: **All Local Agencies Memorandum No-10-09**

Date: **April 1, 2010**

Information- X
Policy- x
Action- x

Routine (email and hard copy) - X
Urgent (fax and hard copy)-

TO: X-LA WIC Coordinators
X-Satellites

FROM: Kathleen Wayne
State WIC Manager

SUBJECT: Haitian Refugees in WIC Program

Please see attached USDA memo on Haitian refugees in WIC Program. If you have additional questions, please contact Becky Carrillo at 465-8629.

Attached-WIC Policy Memorandum #2010 - 4

United States Department of Agriculture

Food and Nutrition Service

3101 Park Center Drive
Alexandria, VA
22302-1500

March 3, 2010

SUBJECT: WIC Policy Memorandum #2010 - 4
Haitian Refugees in the WIC Program

TO: Regional Directors
Supplemental Food Programs
All Regions

This policy memorandum provides guidance in response to WIC State agency questions concerning certification of refugees evacuated to the United States as a result of the recent earthquake in Haiti. In most instances, applications from refugees from Haiti or any other country should be treated in the same manner as any other individual who applies for WIC services.

Determining Eligibility for WIC

It is the intent of the WIC Program to provide services to all eligible categories of individuals during critical times of growth and development. In establishing eligibility for the Program, refugee status is not considered, and it is therefore not necessary to determine whether or not an applicant is a refugee. Legal residency or United States citizenship are not Federal requirements for participation in the Program (see WIC Policy Memo 97-3, January 13, 1997), although State agencies may choose to impose such requirements.

Residency

In order to meet the WIC Program residency requirement, an applicant must live in the State in which he or she applies at the time of application. In most instances, recent refugees from Haiti will not have a permanent place to live and therefore may be considered homeless. Program regulations at 7 CFR 246.7(c)(2)(i) allow State agencies to authorize the certification of homeless individuals without requiring proof of residency under certain circumstances (e.g., no actual home address or temporary residence in a homeless shelter or facility). There may be instances, as defined at 7 CFR 246.2, in which refugees who are living temporarily in a private residence with a family and may still be defined as homeless.

Income Determination

Meeting the income guidelines is a condition of WIC Program eligibility for all applicants. The definition of family at 7 CFR 246.2 includes related and unrelated individuals living together as an economic unit. As part of the assessment process, local agency staff will need to ask clarifying questions to determine the exact economic unit for refugee applicants living in the residence of another individual.

State or local agencies must require all applicants to provide documentation of income at the time of certification. Federal WIC Regulations at 7 CFR 246.7 and WIC Policy Memo 99-4 (issued February 24, 1999) permit State agencies to relax the requirement for applicants, including homeless individuals, if this requirement would present an unreasonable barrier to participation in the WIC Program. Therefore, if a refugee is unable to provide the necessary documentation, a State agency may accept a

self-declaration of income, as indicated at 7 CFR 246.7(d)(5)(ii)-(iii) and in WIC Policy Memo 99-4.

Nutritional Risk

Federal WIC Regulations at 7 CFR 246.7(e)(2)(iv) recognize homelessness as an allowable nutrition risk condition when determining eligibility for the WIC Program. However, the local agency is still expected to perform a complete nutrition assessment for each refugee applicant, who may be suffering from other medical or dietary nutrition risk factors that require prompt attention and/or referral to a health care provider.

WIC Supplemental Foods

Federal WIC Regulations at 7 CFR 246.10(b)(ii) also allow local agency nutritionists and other competent professional authorities to adapt the WIC food package to accommodate the unique needs and circumstances of homeless participants. Some of these adaptations may be necessary for refugees who are certified to receive WIC benefits, depending on their living situations or their access to cooking facilities, as well as their overall capability to make the best use of the foods provided (e.g., limited English proficiency may inhibit a refugee mother's ability to use powdered or concentrated infant formula). Such substitutions may include:

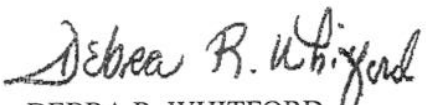
- Peanut butter for eggs or canned beans/peas for dry beans/peas;
- Ready-to-feed infant formula for liquid concentrate or powdered;
- Single-serving size containers of WIC cereal or juice; and
- Shelf stable containers of fluid milk or juice.

However, no exemptions or exceptions are allowed from the requirement for medical documentation to support the issuance of certain supplemental foods including exempt infant formulas as described at 7 CFR Section 246.10(d).

Other Considerations

In tailoring nutrition education and referrals to address the specific needs and cultural preferences of Haitian refugee participants, State agencies are encouraged to share language–specific materials relevant to such applicants with other States and regional office staff.

For questions or assistance regarding this policy, State agencies should contact their respective FNS Regional Offices.



DEBRA R. WHITFORD
Director
Supplemental Food Programs Division