



National WIC Association  
Your child has you. And you have WIC.



## Protecting WIC Program Integrity for Mothers and Young Children and Federal Tax Payers

There are a wide range of program integrity provisions in place through Federal or State statutes, regulations, policies or procedures that govern and ensure participant and vendor engagement with the WIC Program. Together, these protect the WIC Program from fraud and abuse and protect Federal tax payers.

Fraud and abuse in the WIC Program are extremely low. According to the USDA's Food and Nutrition Service (FNS) the improper payment rate associated with participant certification in the WIC Program is less than 3 percent. WIC improper payments to retail vendors for fiscal year 2010 amounted to roughly 1.1 percent of WIC food expenditures. This is down from the fiscal year 2009 total of about 1.2 percent of total WIC food expenditures.

### Prospective Participants Applying to WIC Must:

- meet Program income guidelines and be at nutrition risk;
- provide written documentation of income or proof of SNAP, TANF or Medicaid participation;
- provide proof of residency and identity to prevent dual participation; and
- be physically present during the WIC certification assessment (with certain exceptions for persons with disabilities or infants or children of working parents whose working status presents a barrier to bring the infant or child to the WIC clinic.)

### Participant Violation:

- "Any intentional action of a participant, parent or caretaker of an infant or child participant, or proxy that violates Federal or State statutes, regulations, policies, or procedures governing the Program" and include:
  - intentionally making false or misleading statements or intentionally misrepresenting, concealing, or withholding facts to obtain benefits;
  - exchanging cash-value vouchers, food instruments or supplemental foods for cash, credit, non-food items, or unauthorized food items;
  - selling WIC-obtained foods; and dual participation;
  - making a verbal offer of sale to another individual or posting WIC foods, benefits and/or EBT cards for sale in print or online, or allowing someone else to do so.

### Consequences for Participant Violations:

- Sanctions that may include disqualification from the Program for a period of up to one year.
- Where a State agency determines that benefits have been obtained or disposed of improperly, the agency must establish a claim against the participant for the full value of those benefits, and when appropriate, refer participants (and vendors) who violate program requirements to Federal, State, or local authorities for prosecution.

## Vendor Violations:

- “Any intentional or unintentional action of a vendor’s current owners, officers, managers, agents, and employees (with or without the knowledge of management) that violates the vendor agreement or Federal or State statutes, regulations, policies, or procedures governing the Program” and include:
  - trafficking in food instruments or cash-value vouchers or selling firearms, ammunition, explosives, or controlled substances in exchange for food instruments or cash-value vouchers;
  - a pattern of:
    - claiming reimbursement for the sale of an amount of a specific supplemental food item which exceeds the store’s documented inventory of that item for a specific period of time;
    - overcharges;
    - receiving, transacting, and/or redeeming food instruments or cash-value vouchers outside of authorized channels, including the use of an unauthorized vendor and/or person;
    - charging for supplemental food not received by the participant;
    - providing unauthorized food items in exchange for food instruments or cash-value vouchers, including charging for supplemental foods provided in excess of those listed on the food instruments; or
    - an above-50-percent vendor providing prohibited incentive items to customers (there is a \$2 nominal value limit per customer per shopping visit).

## Consequences for Vendor Violations:

- WIC provides for mandatory sanctions for program violations ranging from one year to permanent disqualification.
- The most serious WIC violations result in disqualification from both SNAP and WIC.
- A SNAP disqualification will result in a WIC disqualification for the same period of time as the SNAP disqualification.
- State agencies may issue civil money penalties in lieu of disqualification to maintain participant access in certain situations.

## WIC State Agency Vendor Monitoring Includes:

- Conducting routine monitoring visits on a minimum of 5% of a State’s authorized vendors annually to survey the types and levels of vendor errors and abuse;
- Identifying high-risk vendors at least once a year using criteria developed by USDA/FNS and/or other statistically-based criteria developed by the State agency;
- Conducting compliance investigations on a minimum of 5% of the number of vendors authorized as of October 1 each year;
- Conducting compliance investigations on its high-risk vendors up to the 5% minimum. Where the number of high-risk vendors is greater than 5%, then State agencies must prioritize them based on the greatest potential for noncompliance and/or loss.