

<b>Texas WIC Health and Human Services Commission</b>
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Effective December 1, 2023

Policy No. CS:07.0

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## **Income Screening as a Certification Requirement**

### **Purpose**

To provide documentation that an applicant's income eligibility was determined accurately.

### **Authority**

7 CFR Sections 246.2, 246.7, 246.9, 246.18; 25 TAC §31.22

### **Policy**

When determining program eligibility, the local agency (LA) must determine and document the applicant's total household gross income and household size at each certification. If the applicant is currently a recipient of Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance to Needy Families (TANF), or Medicaid, refer to [CS:08.0 Adjunctive Income Eligibility](#).

LAs are required to verify all information that is questionable or when verification is specifically required by this policy. In addition, an LA may require verification of any information to ensure income eligibility is determined accurately.

### **Definitions**

Household - all persons, related or unrelated, living together in the same dwelling, with the exception of the following special situations: foster child, individuals who qualify as a separate economic unit, and residents of a homeless facility or other residential institution.

Income - defined as gross cash income for all members of a household before deductions for income taxes, employees' social security taxes, insurance premiums, bonds, etc.

Income includes the following:

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- (A) Monetary compensation for services, including wages, salary, commissions, or fees;
- (B) Net income from farm and non-farm self-employment;
- (C) Social Security benefits;
- (D) Dividends or interest on savings or bonds, income from estates or trusts, or net rental income;
- (E) Public assistance or welfare payments;
- (F) Unemployment compensation;
- (G) Government civilian employee or military retirement or pensions or veterans' payments;
- (H) Private pensions or annuities;
- (I) Alimony or child support payments;
- (J) Regular contributions from persons not living in the household;
- (K) Net royalties; and
- (L) Other cash income – Other cash income includes, but is not limited to, cash amounts received or withdrawn from any source including savings, investments, trust accounts and other resources which are readily available to the family. Additional information regarding income and exclusions from income are in [CS:09.0 Definition of Income](#).

In-kind benefit – benefits received by the household, which are provided in the form of goods and/or services. Example: woman resides with another family and provides childcare in exchange for food and shelter. This in-kind value is excluded from the income determination.

Instream migrants – migrant farm workers who follow a route or agricultural work from state to state and who are currently not at their home base.

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Verification of income – a process whereby the information presented by an applicant as documentation of income is validated through an external source of information other than the applicant.

Current income – The most recent available proof of income received by the household within the last month (28-31 consecutive days). The most recent pay stub must not be dated more than 30 days prior to the documentation submission date or the first certification appointment. Proof of income based on these requirements may only be used for up to 30 days after the submission date or first certification appointment.

Prospective income - all household income that will be available in the next 30 days.

Provisional Certification – a 30-day certification and up to 30-days benefit issuance for an applicant/participant who meets all eligibility criteria at certification but fails to provide one of the acceptable proofs of identification, residency, or income.

Disaster Expedited Certification – a certification process where anthropometrics and blood work are optional but must be obtained within 90 days from certification during a disaster situation.

## **Procedures**

- I. At each certification, WIC applicants or parent/guardians applying on behalf of a child must declare the number of persons that comprise the applicant's household size and provide acceptable documentation of the amount of ALL gross income received by each member of the household, unless the applicant is adjunctively income eligible, in which case income eligibility is determined under the provisions of [CS:08.0 Adjunctive Income Eligibility](#).
  - A. Staff must obtain verbal confirmation from the applicant that the documented income and household size is correct.

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- B. If gross household income has been documented for one participant in the family within the last month (28 to 31 days), it may be used for other family members being certified within that same period. Staff must obtain verbal confirmation from the applicant that the documented income and household size has not changed and is still a complete and accurate reflection of the household's current financial situation. The information for the previous month (28 to 31-day) period does not apply to those determined adjunctively eligible if the date of the application falls within the adjunctive program's eligibility period (see [CS:08.0 Adjunctive Income Eligibility](#)).
  - C. A copy or electronic image of the income document(s) must be scanned and uploaded to the Family Page. Documents obtained via electronic transmission are automatically saved in the MIS.
- II. Applicants must provide acceptable documentation of the amount(s) of all gross income sources received by each member of the household. Documentation must be dated within the previous month (28 to 31 consecutive days) from document submission date or date of certification appointment. The most recent pay stub must not be dated more than 30 days prior to the documentation submission date or the first certification appointment. Proof of income based on these requirements may only be used for up to 30 days after the submission date or first certification appointment.

Acceptable documents for the most common proofs of income include the following with highest level of documentation listed in order (i.e., paycheck stubs, WIC forms, bank statements, etc.):

- A. Paycheck stubs – with the current amount of gross earnings. Only one document within the previous month (28-31 days) is required when the applicant confirms the document reflects regular, consistent earnings. When the applicant states that income varies, request documentation that shows all income for the previous

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month (28-31 days consecutively). If there are multiple income sources, follow the procedures above for each income source.

1. The paycheck stub(s) must indicate the pay period(s) or pay date and employee's name. Examples:
    - a. For weekly pay there are typically four paycheck stubs.
    - b. For bi-weekly/every 2 weeks there are typically two paycheck stubs.
    - c. For twice monthly there are typically two paycheck stubs.
    - d. For monthly there is typically one paycheck stub.
  2. Do not accept a paycheck stub that has a different name than the applicant's or household member's name. Only when the documentation does not show the applicant's or household member's name, may the applicant be allowed to complete a WIC-32, Applicant's Statement of Farm/Self-Employment Form (See Procedure II.E in this policy).
  3. The employer may be contacted, with the applicant's or parent/guardian's permission, to clarify information on the paycheck stubs. Information from the employer shall be used to determine income and documented in the Notes on the Family Page of the MIS.
- B. Signed statement from employer- (business letterhead is not required). The statement must reflect current gross income, the pay period(s), and/or the pay date within the previous month (28 to 31 days). Employer name, phone number, signature, signatory title (if available), and date are all required on the statement.
- C. WIC-19a – Assistance Documentation Form
1. Section I must be completed when:
    - a. money or financial support is received from a source outside the household such as parents, relatives, or friends. If money is received occasionally, refer to Procedure II.J of this policy.

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- b. there is more than one provider of assistance; each provider must complete a separate WIC-19a.
    - c. the applicant receives financial support in addition to their wages from someone who does not reside with them.
  - 2. Section II must be completed by a third party when no one in the household has a source of income and the household does not receive outside assistance.
    - a. Examples of a third party include but are not limited to: staff of a church or school, social service agency, legal-aid, lawyer, public health nurse, doctor, and elected public officials.
    - b. The third-party cannot be an employee of the WIC Program, an individual related to the applicant/parent/guardian, or a member of the applicant's household. The staff must confirm this information verbally with the applicant.
- D. WIC-19b – Employment Verification Form is acceptable if the applicant and/or members of the applicant's household do not have acceptable documentation of wages.
  - 1. LA staff should only clarify information that is provided on the form by the employer and not add information that is missing.
  - 2. An applicant who has physically started a new job but has not received his/her first paycheck must have a WIC-19b completed or have a written statement from their employer.
  - 3. If the employer refuses to complete the WIC-19b, the WIC Self-Declaration form must be used; refer to Procedure II.K in this policy.
- E. WIC-32 – If an applicant (or member of the household) who is self-employed does not have the most recent IRS tax return, the applicant's net income will be included on the Statement of Farm/Self-Employment Form. This form may also be used:

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1. When an applicant or member of the household is paid in cash and the employer will not provide documentation.
  2. When the applicant or member of the household cannot provide a paycheck stub(s) in his/her name.
  3. For farmers and self-employed individuals, use net income – the income after the deduction of business expenses.
- F. Bank or credit union statement – Applicant can provide checking, money market, or savings statement if they declare they are living off savings, money market, or checking account.
1. The financial account statement must be reflective of current gross income within the previous month (28 to 31 days).  
Example: An applicant is living off their savings which include lump sum amounts representing “new money available to the household” that have been deposited in the savings account. The amount withdrawn monthly to pay for their expenses plus a month’s worth of interest must be considered as their monthly household income. The total dollar amount in savings is not to be considered.
  2. A bank statement can be used as documentation as long as the date on the statement is from the previous month (28 to 31 days) and accurately represents current income available to the household within the previous month (28 to 31 days).
- Total amount of savings: \$30,000  
Amount withdrawn to cover monthly expenses for one month: \$1,150  
One month of interest: \$25  
Total monthly income:  $\$1,150 + \$25 = \$1,175$
- G. Tax records (Any IRS 1040) – Most recent filed IRS tax form. If the applicant or household member has not filed for the most recent tax year, then the most recently filed tax form is required.

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1. Staff must use the adjusted gross income figure indicated on the completed Federal tax return for individuals that are not self-employed. If applicant indicates that they are self-employed the adjusted net income figure indicated on the completed Federal tax return should be used.
  2. Staff must ask applicant/parent/guardian to verbally confirm the tax record reflects current income and retain a copy of the section of the documents used to determine income.
- H. Foster child placement letter – All foster children must be screened for income eligibility, see [CS:11.0\(T\) Certification of Foster Children](#).
1. If the amount paid to the family for the care of the foster child is not indicated on the placement letter and providing documentation of the amount would represent an unreasonable barrier to accessing WIC services for the foster child, a verbal declaration of the amount paid to the family for the care of the foster child must be obtained.
  2. If a foster child receives income, whether from a job or outside financial resource, it must be included in the income determination. Income screening must be done at every certification for foster children, even if they have not changed foster homes.
- I. Child Support and/or Alimony – Documentation must be obtained in the following order (i.e., staff must obtain the highest level of documentation, if it exists, with #1 constituting the highest level and so forth):
1. Court order, divorce decree or information from Office of Attorney General (800-252-8014)
  2. Receipts or copies of checks
  3. Signed and dated statement from the person providing support.



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- 4. Signed and dated statement from person receiving support.
  - J. 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 within the previous month (28 to 31 days). Documentation of cash income must be uploaded to the MIS.
  - K. WIC Self-Declaration – An applicant or a parent/guardian applying on behalf of a child, who is a victim of theft, loss, or disaster and/or does not have a source of income must complete a WIC Self-Declaration form. This form must be used as the lowest level of documentation for prospective income. This form must be uploaded to the Family Page of the MIS.
    - 1. Homelessness – see [CS:35.0 Certification of Homeless and Those Living in Shelters and Institutions](#).
    - 2. Zero income – applicant should be prompted to describe in detail their living circumstances and how they obtain basic living necessities such as food, shelter, medical care and clothing. Examples include but are not limited to unpaid leave status including maternity leave, person on strike.
    - 3. Cash on hand – self-declaration of income within the previous month (28 to 31 days).
  - L. Additional – The following are acceptable as proof of income and are listed in the MIS. Examples include, but are not limited to:
    - 1. Workers Compensation letters, or Unemployment Insurance Benefits
    - 2. Severance, pension payments, or retirement benefits
    - 3. 401K or other investments

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4. Social security and Supplemental Security Income (SSI)
5. Student financial aid

III. Situations when income varies:

- A. In rare instances, annual income may be a better reflection of the applicant's true income for an applicant or family member who:
  1. is on maternity leave.
  2. is paid on a 9 or 10-month basis and are on temporary (summer) leave.
  3. is a college student who works only during the summer months and/or school breaks.
  4. receives overtime pay- one time or consistent.
- B. When documenting annual income for applicants or family members, staff must obtain the highest level of documentation, if it exists, in the following order (i.e., with "1" constituting the highest level and so forth):
  1. Income documentation (see Procedure I in this policy)
  2. Bank statements if living off savings (see Procedure II.F in this policy)
  3. Tax return IRS 1040 (see Procedure II.G in this policy)
  4. Self-Declaration form, if applicable (see Procedure II.K in this policy)

IV. Income eligibility of instream migrants – Certain instream migrant families with an expired Verification of Certification (VOC) must be considered income eligible if income eligibility was determined within the previous 12 months. The date the migrant family's income was last determined must be documented on the Family Page of the MIS.

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- V. Current participants and applicants who qualify for expedited certification and/or who are victims of a disaster must complete the electronic WIC Self-Declaration Form for Disaster Victims in the MIS.
- VI. To assess the income eligibility of an unemployed person (whether the person quit, was fired, or experienced a lay-off) all amounts of financial support received from all sources, including any of the sources listed in this policy, must be determined and appropriate documentation obtained. If the income assessment is being done prospectively (e.g., the sole support of the family was laid off and was authorized to receive unemployment benefits for the next six months) "current" refers to income that will be available to the family in the next 30 days. If the person is living off their savings, refer to Procedure II.F of this policy.
- VII. Income eligibility for pregnant women: Refer to [CS:10.0 Economic Unit for Income](#).
- VIII. LA staff has no responsibility to monitor the continued income eligibility of the participant during the current WIC certification period.
- IX. Participants are not required to report income changes within certification periods nor are LAs required to inquire about such changes. However, during a certification period, if the LA receives information from any party regarding a change in income eligibility, a reassessment of program eligibility must be conducted during the certification period unless the information concerns possible program fraud or abuse. When fraud or abuse is suspected at any time during the certification period, refer to [GA:12.0\(T\) Participant Violations](#) for instructions on reporting to the state agency. Reassessments are not required when there are 90 days or less before the expiration of the certification period. If the individual is determined ineligible, the LA must disqualify the individual and any other family members participating in WIC at the time of the reassessment unless they are adjunctively eligible, refer to [CS:08.0 Adjunctive Income Eligibility](#).
  - A. Some examples of situations which trigger a mandatory reassessment by the LA include:

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1. Family member certified, and income or adjunctive income eligibility has changed;
  2. An increase in income reported by a participant;
  3. A change in custody and/or household size;
  4. A complaint alleging ineligibility.
- B. WIC staff should contact the individual to bring documentation of their continued income or adjunctive program eligibility to their next appointment.
1. If the individual fails to provide the proof of income or if proof of participation in an adjunctive program cannot be verified, then the individual and other household members participating in WIC at the time of the reassessment must be determined ineligible, disqualified, and terminated from the Program.
  2. Refer to [CS:23.0 Notification of Ineligibility, Disqualification, Termination, or Expiration of Eligibility](#).
- C. If the individual is income eligible through adjunctive eligibility, refer to [CS:08.0 Adjunctive Income Eligibility](#).
- D. Refer to [GA:12.0\(T\) Participant Violations](#) for instructions on handling citizen complaints about a participant's eligibility.
- E. Refer to [CR:03.0 Fair Hearing Procedure for Applicants/Participants](#) for guidance on a participant's right to appeal any decision which results in the denial, disqualification, or termination of their participation in the Program.
- F. LA staff must provide written notification of termination to participant(s) found ineligible. Refer to [CS:23.0 Notification of Ineligibility, Disqualification, Termination, or Expiration of Eligibility](#) for instructions.

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- X. Special Circumstances for Income Eligibility for Military Families:
- A. The following five military pays are always excluded from income:
    - 1. Any basic allowance for quarters or housing (BAQ or BAH) received by military services personnel residing on/off military installations.
    - 2. OCONUS Cost of Living Allowance (COLA) received by military personnel on duty outside the contiguous states of the United States.
    - 3. Family Subsistence Supplemental Allowance (FSSA) payments to members of the Armed Services provided by the Department of Defense under the provisions of Public Law 109-163, the National Defense Authorization Act for Fiscal Year 2006.
    - 4. Family Separation Housing (FSH)
    - 5. Overseas Housing Allowance (OHA)
  - B. Household Size and Income During Deployment: When children are in temporary care of friends or relatives due to military parents being deployed or on temporary assignment and financial support is being provided by the military parents:
    - 1. Military personnel absent (e.g., deployed overseas) must be counted as members of the children's household.
    - 2. When the Leave and Earnings Statements are available, military parents and children are a separate economic unit (SEU) within the household of the temporary caretaker. Income is assessed for the SEU. A recent (within the past 120 days) Leave and Earnings Statement (LES) must be obtained as documentation of the soldier's contribution to the household's gross income. If the funds are direct deposited into a bank account in lieu of having a LES, request a bank statement from the applicant. The applicant must document the amount of gross income. The statement must be signed by the

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applicant/parent/guardian and include a statement explaining why he/she cannot provide documentation of income.

3. When LESs are unavailable, the source of financial support for the children determines the documentation necessary.
  - a. If financial support is being provided by the military parents, the children will be considered a SEU with income in the amount provided for their care. Written documentation from the caretaker should designate the amount received from the military parents, either in a letter or written note or in LESs when available.
  - b. If the caretaker holds a credit card for necessary expenses or has access to direct deposited funds, have the caretaker declare the amount being used to care for the child(ren). The child(ren) will be considered a SEU with income in the amount declared.
- C. Combat Pay (Hostile Fire Pay/Imminent Danger Pay [HFP/IDP] and Hardship Duty Pay [HDP]) – is excluded from income only if it meets the following three requirements:
  1. Must be received in addition to service member's basic pay;
  2. Must be received as a result of the service member's deployment to or service in an area that is designated a combat zone; and
  3. Must not have been received by the service member prior to deployment to or service in the designated combat zone.
- D. Additional temporary compensation – The Local Agency needs to explore the circumstances under which military service personnel is receiving each additional allowance in order to decide if they should include or exclude the payment. The requirements above need to be met.

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1. Front Line Pay – enter the total amount received in the last 12 months in the MIS. The MIS will average this pay automatically.
  2. New money that is received once per year, including but not limited to Clothing Allowance and Enlistment Bonus must be entered in the MIS.
- XI. Provisional Certification (30 days) must be offered to an applicant who does not provide proof of income by the time of the certification appointment but meets all other eligibility criteria and applicable documentation requirements.
- A. If the applicant/parent/guardian meets all other eligibility requirements:
    1. The MIS will allow up to 30-day benefit issuance.
    2. If the applicant/parent/guardian provides or uploads the income proof within 30 days and is found eligible, the MIS will establish the certification period.
    3. If the applicant/parent/guardian does not provide or upload the income proof within the 30 days the applicant is ineligible, and automatically terminated by the MIS.
  - B. Under no circumstances shall a second or subsequent Provisional Certification be applied if the applicant fails to provide the required documentation within the 30 days (i.e., two “back-to-back” provisional certifications that would equate to 60 days of continuous provisional certification). If a participant receives a provisional certification and that certification is followed by a full certification or a minimum of 6 months passing since the last provisional certification was issued, the participant will be eligible for a second provisional certification.