

Texas WIC Health and Human Services Commission

Effective December 1, 2017

Policy No. CS:11.0 (T)

Certification of Foster Children

Purpose

To ensure individuals at nutritional risk receive program benefits.

Authority

USDA FNS Instruction 803.3; 25 TAC §31.22

Policy

Foster children shall be certified eligible for WIC Program benefits according to age, residency, income, nutritional risk requirements and physical presence. Children left in the care of a family member or friend are not considered foster children unless Department of Family Protective Services (DFPS) is involved.

Definitions

Foster child - Any child placed through DFPS. A child returning to his/her parent shall not be considered a foster child.

DFPS placements include:

- Foster family home or group home that has been either trained and verified by DFPS, licensed by DFPS' Office of Residential Child-Care Licensing (RCCL), or verified by an RCCL-licensed child-placing agency.
- Residential group care facility - that has been licensed by RCCL; or a facility under the authority of another state agency.
- Infant or child placed by DFPS with a relative, close family friend or others who have a long standing relationship with the infant/child.

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Expedited Benefits – the reissuance of current month’s benefits by the LA following a lock of card. This process allows the MIS to override the required three calendar days waiting period.

Administrative Lock – a WIC Card lock which is in effect the first day of the following month

Disaster mode – a feature in MIS which allows reissuance of redeemed benefits

Procedures

- I. At the time of initial application, DFPS foster placement shall be verified. Written or verbal verification is acceptable.
 - A. When verbal verification is obtained, the DFPS contact name and phone number shall be documented in the foster child’s file in the notes section of the participant page. Verification is not required at subsequent certifications.
 - B. The foster child shall be screened according to the criteria defined in Policy **CS:01.0**.
 - C. Infants and children placed by DFPS with a relative, close family friend or others who have a long standing relationship with the infant/child may be screened utilizing CS:07.0 if the DFPS placement letter is not available.
- II. A foster child shall be considered a one-person household.
 - A. The income of the foster child shall be the payments made by DFPS or money received from any outside source.
 - B. Most relatives are not certified as foster parents and do not receive foster care payments. However, money received from any outside source for the care of the child shall be considered as income. If the relative does not receive any money for the care of the child, the child’s income will be zero.

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- III. When certifying a participant who has entered foster care during the last six months or has moved from one foster care home to another foster care home during the previous six months, assign risk code 903, Foster Care (see Policy **CS:18.0**) and all qualifying risk conditions.
- IV. If eligible for WIC services, the foster child shall be issued a Texas WIC Card, which is separate from the foster family. Multiple foster children, including siblings, residing in the same foster home shall each be issued separate Texas WIC Cards.
- V. When a participant is removed from a foster home and placed in another foster home:
- A. Gaining clinic transfers foster child's record from losing clinic.
 - B. Gaining clinic will place a lock on the Texas WIC Card and select "foster" as reason.
 - 1. Gaining clinic will issue new card. When MIS indicates there are unredeemed benefits on the card for the current month, select "Expedite Benefits" (this will allow immediate reissuance of **unredeemed** benefits for the current month).
 - 2. When MIS indicates all benefits have been **redeemed** for the current month, reissue current months' benefits by using "Disaster" mode field in the MIS. LA staff shall issue a full (before the 16th) or partial (on or after 16th of month) food package based on the day of month. When completing the electronic disaster form, select the statement "WIC food left behind."
 - 3. If no benefits had been issued to the Texas WIC card from the losing clinic, gaining clinic will issue new card with current months' benefits.
- VI. When a participant is removed from a foster home and is reunited with his/her parent(s):
- A. Parent must present the child at the WIC appointment or provide written documentation from DFPS or former guardian. When verbal verification is obtained, the contact name and phone number shall be documented in the child's record in the MIS.

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- B. Gaining clinic transfers foster child from losing clinic.
 - 1. Gaining clinic will issue new card. When MIS indicates there are unredeemed benefits on the card for the current month, select "Expedite Benefits" (this will allow immediate reissuance of **unredeemed** benefits for the current month).
 - 2. When MIS indicates all benefits have been **redeemed** for the current month, issue future months' benefits.
 - 3. If no benefits had been issued to the Texas WIC card from the losing clinic, gaining clinic will issue new card with current months' benefits.
 - C. Income must be reassessed unless there is 90 days or less before the expiration of the certification period. The child shall be issued one month of benefits and be required to provide acceptable written documentation of the household income or eligibility in an adjunctive program at the next appointment.
 - D. If the child's certification has expired, perform a recertification.
- VII. If the foster child is later adopted, the child becomes part of the adoptive family's economic unit.
- A. If the child has an active certification period and the adoptive family is currently participating in the WIC program:
 - 1. Gaining clinic transfers the child and adds him/her to the adoptive family's record.
 - 2. Place a lock on the foster card.
 - 3. Issue benefits to adoptive family's card.
 - 4. Expedite benefits for current months if there are unredeemed benefits on foster card.
 - B. If the family is not participating in the WIC Program:
 - 1. Create a new family record (for adoptive family)
 - 2. Transfer the foster child to adoptive family's record
 - 3. Place a lock on the foster's Texas WIC card (use "foster" as reason).
 - 4. Issue benefits to new family card.

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- 5. Expedite benefits for current month if there are any unredeemed benefits on foster card.
 - 6. Issue a Texas WIC card per Policy **CS:25.0** for the adoptive family.
- C. Income must be reassessed unless there is 90 days or less before the expiration of the certification period. The child shall be issued one month of benefits and be required to provide acceptable written documentation of the household income or eligibility in an adjunctive program at the next appointment.
- D. If the child's certification has expired, perform a recertification.
- E. A foster child who is later adopted may continue to receive Medicaid until they are 21 years old. At recertification, staff shall accept current Medicaid verification as income even if it continues to list the foster child's name rather than the adoptive name.
- F. If the adopted individual is an infant or pregnant woman, his/her Medicaid eligibility shall be used as income for the other household members per Policy **CS:08.0** Procedure I.