

<b>Texas WIC Health and Human Services Commission</b>
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Effective August 1, 2009

Policy No. FD:03.0

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## **Designated Recipients of Benefits**

### **Purpose**

To provide guidance for local agencies (LAs) in distributing benefits to participants, including participants who are unable to come to the issuance site due to illness or other reasonable circumstances or for those participants who are unable to write their names.

### **Authority**

7 CFR Part 246.12; 25 TAC §31.23

### **Policy**

LAs may issue benefits to pregnant, breastfeeding, and postpartum participants, as well as parents/guardians/caretakers of participants within the guidelines of this policy. Should a recipient be unable to write or become unable to pick up benefits, a proxy may be designated. All benefit recipients are entitled to full advance issuance unless otherwise determined by the Certifying Authority (CA).

### **Definition**

**Caretaker** is any person, 18 years of age or older, designated by a woman participant, parent or guardian, to obtain and transact benefits. A caretaker has custodial responsibility for a participant during the majority of a participant's time awake each day.

**Proxy** is any person 16 years of age or older designated by a woman participant, or by a parent, guardian, or caretaker of an infant or child participant, to obtain and transact benefits.

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### **Procedures**

- I. A participant who is pregnant, breastfeeding or postpartum may be designated as a benefit recipient for herself and her children, including any infants. She shall read and sign the Supplemental Information Form (SIF), form WIC-35-1, before receiving benefits.
- II. A parent, regardless of age, of a participant may be designated as the benefit recipient for his/her child, including any infants. The parent shall read and sign an SIF before receiving benefits.
- III. A caretaker of a participant may be designated as a benefit recipient for the participant. The caretaker shall read and sign an SIF before receiving benefits.
- IV. A proxy may be designated in writing by the participant or parent/guardian/caretaker to act as the benefit recipient.
  - A. The written statement shall name the proxy, and be signed and dated by the participant or parent/guardian/caretaker. The written statement shall be filed in the participant's chart and be accessible for audit/review.
  - B. Individuals unable to write may make their mark in lieu of a signature on the written statement.
    1. LA staff may assist clients who cannot write with preparation of the written statement; however, another staff member must witness. This option is more helpful to the family if completed at the clinic in advance of a future appointment when it is known the participant or parent/guardian/caretaker will need a proxy.
    2. A third party other than LA staff may also assist the participant or parent/guardian/caretaker in preparation of the written statement. Examples of a third party include but are not limited to, family members and friends.
  - C. The proxy shall provide identification for himself/herself (refer to **Policy CS: 05.0**) and the WIC Lone Star Card.

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- D. Proxies may receive full advance issuance of benefits. The LA shall instruct the proxy on the procedures for receiving WIC supplemental foods, including at a minimum, the procedures for redemption. Nutrition education shall be offered.
- E. Proxies of participants residing in a homeless facility/institution may pick up and redeem food benefits in bulk for multiple participants residing in the shelter. The LA shall ensure that adult participants are allowed to participate in the process of picking up and transacting food instruments to the greatest extent possible, within the homeless facility/institutional framework, so that they are aware of the foods prescribed for them as well as the intended benefits of such foods.
- V. In certain circumstances, a proxy may be appointed by the state agency to obtain and transact benefits for an infant, child, or other participant under age 18 who is subject to disqualification but who would be at health risk, including nutritional risk, if benefits were terminated.
- VI. Local agency employees may not be designated as proxies.