

<p style="text-align: center;">Texas WIC Health and Human Services Commission</p>
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Effective June 1, 2002

Policy No. GA:11.0

Verbal and Physical Abuse by Participants

Purpose

To provide a measure of corrective action and a means of deterrence to participants from behavior that interferes with or distracts from the delivery of WIC services to others.

Authority

7 CFR Part 246.9, 246.12; 25 T.A.C. §31.30

Policy

Participants or parents, guardians, client-designated proxies, state agency-appointed proxies or caretakers of participants who threaten to harm, or who have physically harmed local agency (LA), vendor or state agency (SA) staff shall be sanctioned.

Definitions

Verbal abuse is the verbal threat of physical harm.

Procedures

- I. If a participant or parent, guardian, client-designated proxy, SA-appointed proxy or caretaker of participant begins to verbally abuse a WIC employee, the following procedures shall be followed:
 - A. The employee shall remain calm, attempt to calm the participant, and try to remain in control of the situation.
 - B. The employee shall attempt to contact his/her supervisor to handle the problem. If not possible, another WIC employee shall be summoned to serve as both witness and as a possible mediator.

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- C. The incident shall not be allowed to disrupt the entire clinic operations. The participant shall be politely, but firmly, asked either to leave the immediate premises and to discuss the problem elsewhere (private office, or outside, but away from the food issuance or clinic setting), or to leave and return another time when privacy can be obtained.

- II. Participants or parents, guardians, client-designated proxies, SA-appointed proxies or caretakers of participants shall not be sanctioned for rude or vulgar language.

- III. If a person actually physically harms a WIC employee, or damages WIC property, it is imperative that a security guard or police be called immediately. The injured WIC employee shall be removed immediately from the area and, to the extent possible, WIC property shall be protected.

- IV. The following procedures shall be used in handling incidents of participant abuse:
 - A. Every incident of verbal abuse, or physical abuse shall be documented. Written statements shall be prepared and included in the participant's file by all WIC staff involved.
 - B. The LA WIC Director or designee shall make every effort to counsel with a WIC participant who uses rude or vulgar language in order to correct the problem before it escalates.
 - C. When a participant, parent, guardian, client-designated proxy, SA-appointed proxy or caretaker of participant threatens to harm or physically harms a LA, vendor or SA staff person, the SA shall be contacted and may choose to disqualify the individual for a specific time period. Any civil or criminal action shall be taken at the discretion of the WIC employee, LA or SA.
 - D. In the event that an incident occurs, the LA WIC Director shall send a written report immediately to the SA WIC Director that includes the following:

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1. participant's name, address, etc.;
 2. description of the incident;
 3. statements from personnel involved;
 4. rationale of actions taken by LA director; and
 5. copy of policy report, if available.
- V. Any participant suspended under this policy shall have every right to appeal. Those individuals who appeal a suspension within 15 days of the advanced written notice of suspension shall continue to receive program benefits until such time the hearing official reaches a decision or the certification expires, whichever comes first.