

<p style="text-align: center;">Nutrition Services Department of State Health Services</p>

Effective July 1, 2012

Policy No. CS:06.0

Residency as a Certification Requirement

Purpose

To ensure that those applying for WIC benefits reside within Texas.

Authority

7 CFR Part 246.2, 246.7; 25 TAC §31.22

Policy

At certification, the applicant shall provide proof of residency within Texas.

Definitions

Residency: location or address where applicant routinely lives or spends the night.

Homeless individual means a woman, infant, or child who lacks a fixed and regular nighttime residence; or whose primary nighttime residence is:

- I. a supervised publicly or privately operated shelter (including a welfare hotel, a congregate shelter, or a shelter for victims of domestic violence) designated to provide temporary living accommodation;
- II. an institution that provides a temporary residence for individuals intended to be institutionalized;
- III. a temporary accommodation in the residence of another individual not exceeding 365 days; or
- IV. a public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings.

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Homeless facility means the following types of facilities which provide meal service:

- I. a supervised publicly or privately operated shelter (including a welfare hotel or congregate shelter) designed to provide temporary living accommodations;
- II. a facility that provides a temporary residence for individuals intended to be institutionalized; or
- III. a public or private place not designed for, nor normally used as, a regular sleeping accommodation for human beings.

Institution means any residential accommodation which provides meal service, except private residences and homeless facilities.

Family means a group of related or non-related individuals who are living together as one economic unit, except residents of a homeless facility or an institution shall not all be considered as members of a single family.

Procedures

- I. At each certification, the WIC applicant/parent/guardian shall provide proof of residency to verify the family resides within Texas before being screened for WIC services. Only one document is required for all applicants.
 - A. Residency verification shall be documented on the Family Certification Form/WIC Program Income Screening Form (WIC-35). Refer to **Policy CS: 14.0** for instructions on completing the WIC-35.
 - B. A copy of the document used for proof of residency shall NOT be kept in the applicant/participant's file unless the proof is a WIC form or shelter documentation.
- II. Written proof (including the applicant/participant's name and street address/rural route number, city, state and zip code) is the preferred method of documentation. Documents addressed to the applicant's

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spouse are acceptable. Minors applying for themselves and reside with their parents may present documents addressed to the parent. Documents with a P.O. Box cannot be accepted including Gateway documents. The applicant may present a copy of the original document or proof obtained by viewing an electronic device or a printout for bills paid online. The following documents shall be accepted as proof of current residency:

- A. **utility bill/credit card bill;**
- B. **rent receipt/rental agreement/letter from landlord or apartment manager;**
- C. **business letter/bill**
 - 1. any business letter (not from WIC) or any part of a business letter such as an envelope or enclosures with address or foster placement letters, bills other than utility or credit card,
 - 2. adjunctive eligibility forms from Gateway Programs: Temporary Assistance to Needy Families (TANF), Medicaid, and Supplemental Nutrition Assistance Program (SNAP), formally known as Food Stamps including phone or on-line computer system inquiries by the LA to gateway programs (See Policy CS:08.0). No P.O. Boxes can be accepted.
- D. **letter or WIC-RO2** from the person with whom the applicant(s) lives with and proof of residency:
 - 1. If the WIC applicant(s) lives with someone else and has no written proof of their residence, the individual with whom the family is living may provide a signed written statement or complete Section C of the Residency Form (WIC-RO2) confirming the living arrangements.
 - 2. Proof of residency (any documents accepted in this policy) with the individual's name and address shall also be provided.
- E. **voter registration card;**
- F. **property tax receipt;**
- G. **map and WIC-RO2** if no written proof of address exists.
 - 1. If no written proof exists and the family's residence does not have a designated address, the family may show a

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- specific location of the applicant's physical residence on a map or hand draw a map showing the location of the residence to document residency.
2. The applicant shall complete Section B of the Residency Form (WIC-R02) and attach the map. A home visit is recommended within 60 days after certification, but is not required. This is the only circumstance where Section B of the WIC-R02 shall be used.
- H. **documentation by a third party or WIC-R02;**
If an applicant is homeless or indicates that no one in the household has proof of residency, a third party can provide a signed statement to confirm the family's living arrangements or complete Section A of the Residency Form (WIC-R02).
1. Examples of a third party include, but are not limited to: staff of a church, social service agency, legal-aid, lawyer, school staff, public health nurse, doctor, and elected public officials.
 2. The third party cannot be an employee of the WIC Program, individual related to the applicant, or a member of the applicant's household. The staff shall confirm this information verbally with the applicant.
- I. **shelter documentation;** if the family lives in a temporary shelter, the family may apply for WIC services if:
1. The family can provide documentation of residency in the shelter; and
 2. The shelter meets the following requirements:
 - a. WIC foods shall not be used in communal feedings.
 - b. The shelter shall not accrue financial or in-kind benefit from the applicant's participation in WIC.
 - c. 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

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- facility/institutional framework, so that they are aware of the foods prescribed for them as well as the intended benefits of such foods.
- d. The shelter shall not place constraints on the ability of the applicant to partake of the WIC food instruments and all associated WIC services.
3. The LA shall ensure that the shelter meets the requirements. This may be done by having a signed letter of agreement from the shelter or by calling the shelter and verifying this information. If the LA does not have a signed letter of agreement from the shelter, document in the family record how the shelter met the criteria.
- J. **homeless (WIC-19E)** A homeless family may apply for WIC services if the family's living arrangements can be documented.
1. If the homeless family is unable to provide documentation from a third party verifier (see Procedure II. H.), a signed statement from the family attesting to their living conditions/situation may be provided using the Residency Verification Form for Homeless Family (WIC-19E).
 2. A site visit is recommended within 60 days after certification, but is not required.
- III. If the family lives in an institution, the institution shall meet the same requirements as participants living in shelters (see Procedure II.I.).
- IV. Applicants who may require an exemption include a victim of theft, loss, or disaster.
- A. Applicants or parent/guardian, applying on behalf of a child, shall complete a Self Declaration Form (no stock number - refer to WIC Policy Appendix, Required Forms, CS-Certification).
 - B. The Self Declaration Form shall be filed in the client's record.

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- V. Families who do not meet the residency requirements (live outside of Texas) shall receive written notification of ineligibility (refer to **CS:23.0**).