

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

Effective June 1, 2014

Policy No. CR:01.0

Rights and Obligations of an Applicant/Participant

Purpose

To ensure that the participant or parent/guardian/caretaker of the participant clearly understands the rights and obligations of a WIC participant and that an ineligible applicant or parent/guardian/caretaker of an ineligible applicant clearly understands the rights of a WIC applicant.

Authority

7 CFR Part 246.7

Policy

The local agency (LA) staff shall, at the time of each certification, have the participant or parent/guardian/caretaker of the participant read, or be read to, the rights and obligations of a participant in the WIC Program. The LA staff shall, at the time an applicant is found ineligible, have the applicant or parent/guardian/caretaker of an applicant read, or be read to, the rights of an applicant in the WIC Program.

Procedures

- I. At each certification, the participant or parent/guardian/caretaker of a participant shall be offered the opportunity to read or have read to her/him, the rights and responsibilities of a WIC participant on the *Supplemental Information Form (WIC35-1)*. The participant or parent/guardian/caretaker of a participant shall sign the form attesting to the fact that she/he has been informed of this information. The form shall be maintained in the participant's or family's record.

- II. At each certification, LA staff shall provide the participant or parent/guardian/caretaker of a participant, the *Texas WIC Program*:

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Your Rights and Responsibilities (stock # 13-06-14207/13-06-14207a).

- III. Applicants found ineligible shall be advised of the ineligibility and the right to a fair hearing by reading or having read to them the WIC Notification of Ineligibility or Termination form (WIC-5). Refer to **Policy CR:03.0** for the fair hearing procedures. The reason for ineligibility shall be identified on the form. The applicant shall sign the WIC-5 attesting to the fact that she/he has been informed of this information. The form shall be retained on file and made available for audit/review.

- IV. Where there are non-English speaking applicants or participants or parents/guardians/caretakers, the statements shall be provided verbally or in writing in a language that is understood. Interpreters shall be made available as needed.

- V. In areas of the state with the Commodity Supplemental Food Program (CSFP), the participant or parent/guardian/caretaker of the participant shall sign the Preventing Dual Participation between the Commodity Supplemental Food Program and the WIC Program form stating she/he will not participate in the CSFP while participating in the WIC Program. This form is available through the state agency.