Physical Presence

Purpose

The physical presence of an individual at certification is basic to WIC Program effectiveness. The physical presence requirement not only improves program effectiveness, program accountability and integrity, it also facilitates the referral process to other needed health and social services.

Authority

7 CFR Part 246; 25 TAC §31.22

Policy

Individuals seeking participation in the WIC Program shall be physically present at the initial WIC certification and the subsequent certifications, except in certain limited circumstances.

Definitions

Applicant: A pregnant, breastfeeding or postpartum woman; infant; or child who is applying to receive WIC Program benefits and includes individuals who are subsequently applying after the expiration of a certification period.

Individuals with Disabilities: Individuals who have a physical and/or mental condition that causes substantial and ongoing functional limitations in one or more of the following areas: mobility, self care, communication/social interaction, learning, self-direction, vision, hearing, capacity for independent living, or capacity for economic self-sufficiency.

A person with severe disabilities requires or has the potential to require the individual and/or his family/caregivers (in relationship to the individual's care) to access a complex array of services from public/private service providers in order to achieve optimal care for the individual and the access/coordination of these services may exceed the immediate capabilities of the family/caregivers. The services are anticipated to be lifelong or of
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extended duration and require individualized planning and coordination. Refer to Policy CR:07.0 Provision of Services to Families with Special Health Care Needs.

Procedures

I. All applicants/participants shall be physically present at initial and subsequent certifications. This includes pregnant, breastfeeding, and postpartum women, infants and children less than five years of age. LA staff shall document the physical presence of an applicant/participant in the Proof of Identity (ID) section of the MIS system.

II. When an infant under eight weeks of age is not physically present and the anthropometric documentation is available, the LA may defer physical presence requirement if the following criteria is met:

A. For an infant less than 2 weeks old, birth weight and length may be used for certification purposes (refer to Policy CS:17.0).
B. For infants from 2-8 weeks, weight and length must be accepted if it is within the most recent 30 days from certification. (Refer to CS Policy 17.0).
C. Infants older than 8 weeks, without a physical presence waiver (described below), must be physically present for certification.

III. A Physical Presence Waiver may be issued to provide reasonable accommodations of disabilities for women, infants, and children at certification and subsequent certifications.

A. A verbal declaration of waiver status is acceptable and shall be documented in the Proof of Identity Section of the MIS.
B. An applicant or parent/caretaker of an applicant who is a qualified individual with disabilities and is unable to be physically present at the WIC clinic because of his/her disabilities may be certified and subsequently certified without being physically present. Conditions which meet this standard are:
   1. A medical condition that necessitates the use of medical equipment that is not easily transportable;
2. A medical condition that requires confinement to bed rest;
or
3. A serious illness that is contagious or may be exacerbated by coming into the clinic. For example, the participant may have an infectious disease such as chickenpox or a medical condition that would prevent the participant from being physically present.

C. Staff shall document the reason in the notes on the ID page.

D. A reassessment of the applicant’s Physical Presence Waiver is required at each certification.

E. The height, weight, and blood work shall be obtained from the health care provider if available (refer to Policy CS:17.0)

F. Individuals or Families with Special Health Care Needs (FSHCN) refer to Policy CR:07.0.