

Nutrition Services Department of State Health Services

Effective February 1, 2011

Policy No. CS:11.0

Certification of Foster Children

Purpose

To ensure individuals at nutritional risk receive program benefits.

Authority

USDA FNS Instruction 803.3; 25 TAC §31.22

Policy

Foster children shall be certified eligible for WIC Program benefits according to age, residency, income, nutritional risk requirements and physical presence. Children left in the care of a family member or friend are not considered foster children unless DFPS is involved.

Definitions

Foster child – any child placed through the Texas Department of Family and Protective Services (DFPS). A child returning to his/her parent shall not be considered a foster child.

DFPS placements include:

- A. Foster family home or group home that has been either trained and verified by DFPS; licensed by DFPS' Office of Residential Child-Care Licensing (RCCL), or verified by an RCCL-licensed child-placing agency.
- B. Residential group care facility - that has been licensed by RCCL; or a facility under the authority of another state agency.

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- C. Infant or child placed with a relative, close family friend or others who have a long standing relationship with the infant/child.

Procedures

- I. At the time of initial application, DFPS placement shall be verified. Written or verbal verification is acceptable. When verbal verification is obtained, the DFPS contact name and phone number shall be documented in the foster child's file. Verification is not required at subsequent certifications. The foster child shall be screened according to the criteria defined in Policy **CS:01.0**. Infants and children placed by DFPS with a relative, close family friend or others who have a long standing relationship with the infant/child may be screened utilizing CS:07.0 if the DFPS placement letter is not available.
- II. A foster child shall be considered a one-person household. The income of the foster child shall be the payments made by DFPS or money received from any outside source. Most relatives are not certified as foster parents and do not receive foster care payments. However, money received from any outside source for the care of the child, shall be considered as income. If the relative does not receive any money for the care of the child, the child's income will be zero.
- III. A participant who has entered foster care during the last six months or has moved from one foster care home to another foster care home during the previous six months, qualifies for risk code 903, Foster Care (see Policy **CS:18.0**). A complete nutritional risk assessment shall be done.
- IV. If eligible for WIC services, the foster child shall be issued a WIC Lone Star Card, which is separate from the foster family. Multiple foster children, including siblings, residing in the same foster home shall each be issued a separate WIC Lone Star Card.

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- V. When a participant is removed from a foster home and placed in another foster home, do not request an electronic transfer of the participant's record from the original clinic. The foster child should be served under a new participant record and shall be issued a new WIC Lone Star Card.
- A. If the child's current certification has not expired, staff shall create a new participant record by processing the certification as an in-state transfer and issuing a new PAN.
- B. The Local Agency (LA) staff shall contact their IRM liaison and request an administrative lock on the foster child's previous WIC Lone Star Card effective the first of the following month.
- Exception: LA staff may update the family certification record if:
- the foster child will continue to receive services at the same clinic,
 - the current foster parent has the WIC Lone Star Card issued for the foster child, and
 - the foster child is due benefits or has all the current benefits on the card.
- VI. When a participant is removed from a foster home and is reunited with his/her parent(s):
- A. Parent must present the child at the WIC appointment or provide written documentation from DFPS or former guardian. When verbal verification is obtained, the contact name and phone number shall be documented in the foster child's file.
- B. Staff shall contact their IRM liaison to notify the SA the child has been reunited with his/her parent(s). The SA will place an administrative lock on the foster child's WIC Lone Star Card effective the first of the following month.

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- C. If the child was issued benefits for the current month while in foster care, schedule an appointment for the following month.
 - D. If the child's current certification has not expired, staff shall create a new participant record by processing the certification as an in-state transfer and issuing a new PAN per policy CS:25.0.
 - E. Income must be reassessed unless there is 90 days or less before the expiration of the certification period. The child shall be issued one month of benefits and be required to provide acceptable written documentation of the household income or eligibility in a gateway program at the next appointment.
 - F. If the child's certification has expired, determine if the individual is income eligible under Policy **CS: 07.0** or **CS:08.0**.
- VII. If the foster child is later adopted, the child becomes part of the adoptive family's economic unit. Follow the procedures below:
- A. Do not reassess income if the child has an active certification period. If the child's current certification has not expired, staff shall create a new participant record by processing the certification as an in-state transfer and issue benefits.
 - B. Add the child to the adoptive family's record if the family is currently participating in the WIC program and issue benefits.
 - C. Create a record and issue a WIC Lone Star card per Policy **CS: 25.0** for the adoptive family if the family is not participating in the WIC Program.
 - D. If the child was previously issued benefits for the current month, allow the adoptive family to redeem the remaining benefits and inform him/her the card will not work at the store the first of the following month. Schedule an appointment for the following month and issue benefits per procedure VII. B. or C.

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- E. The LA shall contact their IRM liaison to notify the SA the child has been adopted. The SA will place an administrative lock on the foster child's WIC Lone Star Card effective the first of the following month.

- F. A foster child who is later adopted may continue to receive Medicaid until they are 21 years old. At recertification, staff shall accept current Medicaid verification as income even if it continues to list the foster child's name rather than the adoptive name.

- G. If the adopted individual is an infant or pregnant woman, his/her Medicaid eligibility shall be used as income for the other household members per Policy **CS:08.0** Procedure I.