

General Volume
Monitoring & Compliance Section

Program Integrity (1.07000)

ER# 1.07000

Authority 7 CFR 246.4(a) (26), WIC Policy Memorandum # 2016-5, Separation of Duties at Local Agencies

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POLICY: The Local Agency (LA) shall ensure a separation of duties and avoid conflict of interest to safeguard against fraud.

The LA shall ensure WIC employees are not providing WIC services to themselves, their relatives, and/or their close friends.

The LA shall ensure that the staff person who determines income eligibility and medical/nutritional risk determination are not the same person. Either person may also issue food benefits.

Every LA shall ensure that food instrument accountability functions are appropriately assigned and performed.

PROCEDURES:

- A. Providing WIC benefits to a WIC employee or relatives or close friends of WIC employees.
1. The LA employee shall not perform the following functions for themselves, their relatives or their close friends:
 - a. Determination of eligibility for the program based on identity, residency, or income.
 - b. Any portion of the health assessment which includes obtaining health/medical history and anthropometric measurements.
 - c. Nutrition education and counseling.
 - d. Food instrument issuance.
 - e. Re-evaluation of food packages and/or issuance of supplemental foods.
 - f. Serving as proxy unless a signed proxy note from the participant or guardian naming the employee as a proxy is on file for the current certification period.
 2. All WIC employees shall notify their WIC Coordinator if they have a relative or a close friend applying to receive, or receiving WIC benefits.
 3. WIC employees and relatives or close friends of WIC employees must receive services during regular clinic hours. The LA may use their own discretion in determining whether services may be provided during the employee's working hours.

4. Schedule WIC appointments for LA employees, their relatives or their close friends at the time when other LA employees can perform the participating employee's function.
5. Participant records of LA employees, their relatives or close friends must be made available to the designated state staff for review in conjunction with a monitoring or consultation visit.

B. The LA shall ensure there is a separation of duties during the certification process.

1. Ensure that a minimum of two (2) employees are available to perform certification duties to ensure that one employee isn't determining eligibility for income and also determining medical or nutritional risk. Either person may issue food benefits to that same participant.

Examples:

- One employee checks all 3 proofs and another employee determines medical or nutritional risk. Either of these two employees could print checks.
 - One employee checks income proof only. Another employee determines medical/nutritional risk. Either employee can complete the remainder of the certification including printing checks.
2. The LA shall indicate on the Local Agency Plan (LAP) if compliance with these guidelines cannot be achieved, and appropriate controls shall be established. The Separation of Duties report in Crystal Reports will be used to select records for the post review. The following criteria may be used when conducting record reviews:
 - Proof of identity, income and residency (or lack of proof).
 - Transactions occurring outside regular clinic hours.
 - An unusual amount of like or similar nutritional risk factors.
 - An unusual amount of like or similar height/weight measurements.
 - An unusual amount of like or similar blood test results.
 - Duplicate addresses for participants.
- a. Clinics with fewer than two (2) WIC staff available to fulfill the separation of duties requirement shall complete a review of all non-breastfeeding infant certification records and at least 20 percent of a random sample of the remaining certification records within two (2) weeks of the certification. This review must be completed by a supervisor that has the authority to change an eligibility determination.
 - b. Clinics with multiple WIC staff that allow one staff person to perform all eligibility and certification functions including issuing food benefits must also complete a review of records. When this option is exercised, a

supervisor must conduct a review of all non-breastfeeding infant certification records and at least 20 percent of a random sample of the remaining certification records within two (2) weeks of the certification. An additional file review of 10 percent of each clinic's certification files must be conducted every six months by the State Agency (SA).

- c. If the LA has a supervisor that has access to MOWINS and can conduct the supervisory review of records, the supervisor shall conduct the review as described in 2 a. or 2 b. If it appears that fraud or abuse may have occurred, the WIC SA must be notified. Notify by sending an email with the applicable details to WICLAMonitoring@health.mo.gov WICMonitoring@health.mo.gov upon completion of the review. The Separation of Duties Crystal Report will have a comments box and a place for the supervisor that reviewed the records to sign. Reports must be maintained on file at the LA for review during contract monitoring. Refer to ER# 1.06000 for LA record retention requirements.
- d. If the LA does not have a person who can conduct the supervisory review of records, within three working days of the occurrence of one person doing both income determination and medical/nutritional risk determination, the LA shall send an email to WICLAMonitoring@health.mo.gov WICMonitoring@health.mo.gov to notify the SA that the SA will need to conduct the record review. The LA must include the day or days that require the review and other applicable information.