

Guardians and Proxies

- I. Applicants are persons applying to receive WIC benefits or may be persons applying on behalf of a child or an infant (guardians). Guardians applying on behalf of a child or an infant may be a parent (mother or father), foster parent, legal guardian, or caretaker.
- II. Up to two additional guardians may be designated by the primary guardian.
 - a. Additional guardians must also be a parent (mother or father), foster parent, legal guardian, or caretaker.
 - b. When reasonably possible, both guardians should be present together at the time that the additional guardian is added to the family.
 - c. Any guardian recorded in VISION for the family may bring the children to subsequent certification appointments. All guardians have equal rights to make decisions regarding the participant.
 - d. Additional guardians must read the Rights and Responsibilities form (R&R). All guardians are held accountable for compliance with the Rights and Responsibilities (R&R) regardless of which guardian signed the signature pad for the R&R for that certification period. Guardians are also held responsible for the actions of their proxies. By signing the signature pad each time they receive WIC benefits, guardians and proxies are implying continued agreement with the R&R.
 - e. In unusual circumstances such as child abandonment, or the incarceration or incapacitation of the primary guardian, an additional guardian can be approved by the clinic supervisor without the permission of the primary guardian.
 - i. Clinic staff should attempt to acquire the written or verbal permission of the primary guardian.
 - ii. The additional guardian must sign the General Signature Document printed from the system describing the circumstances regarding the primary guardian and why they are not able to provide permission to designate the additional guardian.
 - f. In circumstances where the guardians are separated, it is the responsibility of both guardians to share the e-WIC Card and ensure the WIC foods are given to the children. WIC staff should not get involved in custody disputes.
- III. Proof of Guardianship/Caretaker. Non-parent applicants applying to become the guardian for a child need to provide proof of guardianship or provide proof that they are the caretaker authorized by the parent to certify the child.

- a. Acceptable proofs of guardianship/caretaker include:
 - i. Legal custodial/guardianship agreement,
 - ii. Documentation from another agency listing the applicant as receiving benefits on the child's behalf,
 - iii. Letter from Human Services/DCFS for foster parents,
 - iv. A signed letter from the parent assigning temporary custody of the child to the applicant,
 - v. A signed letter from the parent authorizing the caretaker to certify the child.
- b. When a non-parent is the guardian for the family this should be noted in the Comment/Alerts so this proof can be reviewed at subsequent certification appointments.
- c. Unless an expiration date or time frame for custody is listed on the proof of guardianship/caretaker, it does not expire. While this proof is required at each certification, the proof may be the same document that was provided for a previous certification period so long as the document remains current and valid. If the proof will expire, this should be marked as an alert so the need to bring this proof at subsequent certifications is visible on the screen.
- d. Proof of Guardianship must be scanned into the computer and may be used at subsequent certifications if still valid.
- e. In the event these proofs are forgotten or are not readily available, the *General Signature Document* may be used. The certification may be completed and the current month's benefits may be issued. This proof will be required to obtain subsequent month's benefits. The system will not automatically restrict to allow only the current month's issuance; for this reason, the food benefits issuance on the family screen must be changed to "1 Month".
- f. In the event it is unreasonable for the caretaker to bring these proofs:
 - i. The applicant may sign a written statement in the WIC office on the *General Signature Document* declaring they are caring for the child and explaining the circumstances under which they became the caretaker and cannot provide these proofs. This should only be used in unusual circumstances such as: the parent has abandoned the child, is incarcerated, incapacitated etc.
 - ii. The Clinic Director must approve the situation.
 - iii. Full benefits may be issued upon clinic director approval.
- g. Parental proof is not required unless custodial rights between the parents or foster parents are in question, or, if clinic staff has reasonable doubts that the applicant is the parent.

- IV. Proxies. Guardians may choose to designate a proxy if desired. A proxy is a person chosen by the participant or a guardian to pick up and redeem benefits in place of the participant/guardian.
- a. A proxy may be designated by the primary or additional guardian.
 - b. Proxies are not allowed to certify infants or children in place of the parent, legal guardian or caretaker.
 - c. Up to two proxies may be designated per family.
 - d. Proxy designation is accomplished by either the proxy being present with the guardian at the clinic or, a guardian sending a written note with the proxy to the clinic giving them permission to become a proxy and pick up and redeem benefits.
 - e. In unusual circumstances such as child abandonment, or the incarceration or incapacitation of the guardian(s), a proxy can be approved by the clinic supervisor without the presence or written permission of the guardian(s).
 - i. Clinic staff should attempt to contact the guardian(s) if possible.
 - ii. The proxy must sign a General Signature Document printed from the VISION system describing the circumstances regarding the guardian(s).
 - iii. The clinic supervisor should consider if a single month of issuance is appropriate in the situation.
 - f. Proxy designation does not expire at the end of the certification period but may be revoked at any time by a guardian.
 - g. Proxies must read the Rights and Responsibilities form (R&R) before acting as a proxy and at each certification period. By signing the signature pad to pick up WIC benefits, proxies are implying agreement with the R&R.
 - h. Guardians are responsible to ensure that their proxies follow the R&R and that they attend nutrition education classes and individual counseling sessions in place of the guardian when necessary.
 - i. Proxies must deliver any written or verbal notifications received at the clinic to the guardian.
 - j. If the proxy does not follow all WIC responsibilities, the clinic staff should educate the proxy and/or the participant must select a new proxy.
 - k. The proxy must show proof of identity at each clinic visit prior to benefits being issued.