

# **Indiana WIC Program Indiana State Department of Health**

## **Ineligibility**

### **Policy**

An applicant determined to be ineligible for the WIC program at certification or subsequent certification shall be notified in writing of the reason for their ineligibility and their right to a fair hearing.

### **Authority**

7 CFR Part 246.7(c)(1)(i)(ii)(iii)  
7 CFR Part 246.7(f)(2)(iii)(A)(B)  
7 CFR Part 246.7(j)(5)  
Indiana Code 12-32-1

### **Procedures**

- I. The chart of each applicant determined to be ineligible for the program will have the reason for ineligibility selected from the drop down on the Client Information screen. The INWIC will retain a record of the selection.
- II. When selected from the ineligibility drop down, the following reasons will auto-fill onto the Notice of Ineligibility.
  - A. Categorically ineligible
  - B. Ineligible for public benefits (the applicant is eighteen (18) years of age or older and not a U.S. citizen or a Qualified Alien (as defined under 8 U.S.C. 1641) as required by Indiana Code 12-32-1-7.) Please note that clients, 18 years of age and older, who are transferring from out-of-state, and have a valid VOC card which shows they are still in a valid certification period must be served for the duration of their certification period regardless of their citizen/immigrant status.
  - C. Moved out of state/Not a resident of Indiana
  - D. No physical presence or documentation
  - E. Over income
- III. An applicant, not in an active certification, found ineligible during certification may choose to appeal their ineligibility. The applicant will

not receive benefits while awaiting the hearing or the hearing officer's decision.

- IV. The local agency Coordinator or other WIC representative must sign the Notification of Ineligibility and note the clinic phone number.
- V. Scan the completed notification and give the original to the applicant or authorized representative. Scanned copies may be viewed from the communications screen in the INWIC.
- VI. The applicant or authorized representative must be informed that any change to their income or medical status allows them to reapply at any time.
- VII. When "Program Violation" is selected from the ineligibility drop down, a Sanction Due to Program Violations form must be issued instead of a Notice of Ineligibility. File a copy in the Sanction file and give the original to the applicant or authorized representative.
- VIII. When "Placed on Waiting List/Priority Not Being Served" is selected from the ineligibility drop down, a Waiting List Notification Letter must be issued instead of a Notice of Ineligibility.