

Previously Section 10 - Special Populations

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Introduction

This section describes procedures to provide WIC benefits to the migrant farm worker, homeless, and refugee populations. The intent of these descriptions is to assist local agencies in planning WIC delivery systems and outreach networks to provide much needed WIC benefits to these populations. Additionally, it is recommended that agencies provide written information on Health First Colorado (Medicaid), Child Health Plan Plus (CHP+), Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance to Needy Families (TANF), and Child Support Enforcement to all WIC participants.

WIC Services to Migrant Farm Workers

WIC Program Definition of a Migrant Farm Worker is:

"Migrant Farm Worker means an individual whose principal employment is in agriculture on a seasonal basis, who has been so employed within the last 24 months, and who establishes, for the purposes of such employment, a temporary abode."

- "Principal employment" means over 50 percent of the migrant farm workers job is in agriculture.
- "Agriculture" means farming in all its branches and includes:
 - ✓ Cultivation and tillage of the soil.
 - ✓ The production, cultivation, growing, and harvesting of any commodity grown in or on the land, or as an adjunct to or part of a commodity grown in or on the land.
 - ✓ Any practice (including preparation and processing for market and delivery to storage or to market or to carriers for transportation to market) performed by a farmer, on a farm, or in conjunction with an activity described in "Agriculture" (above).
- A worker establishes a "temporary abode" when the worker's job location requires him to leave his place of regular residence periodically, not permanently, for one or more 24 hour periods. An automobile, van, or camper may be considered a "temporary abode" when used for temporary residence.
- The decision to expand the definition to include the two year settling out period was made because of the belief that the barriers to participation in local health services, including WIC, are not immediately overcome when a participant leaves the migrant farm worker stream.

The isolation caused by precarious employment and economic situations, discrimination and the absence of English speaking abilities necessitate a period of time when migrant farm workers begin to assimilate into the local community. During this time, special assistance is needed to seek out health providers and local resources.

In order to identify participants who meet the criteria for migrant farm worker and dependent family members, it is necessary to ask a set of questions:

Over the past 24 months, have you or the family member upon whom you are dependent:

- Been hired to do agricultural (farm) work?
- Derived the greatest portion of work-related income or employment from agricultural work?
- Moved (established a temporary residence) in order to do agricultural work?

If client answers "yes" to all questions, they must be considered a migrant farm worker according to the Colorado WIC Program.

Providing WIC Program Services to Migrant Farm Workers

In order to overcome the barriers to migrant farm worker participation and provide quality services, the State and local agencies must make vigorous attempts to serve migrant farm worker participants.

- **Verification of Certification (VOC)**
The most basic tool in ensuring continuous services to migrant farm worker participants is a Verification of Certification (VOC). This is necessary so that migrant farm worker participants do not have to be certified in each area to which they travel. The agency must provide Program benefits until the certification period written on the VOC expires. If the agency is at maximum caseload and has a waiting list, this person must be placed at the top of the list, regardless of whether they meet a particular local agency eligibility requirement at that point in time. A VOC form shall be provided upon initial certification. If a migrant farm

worker participant needs to be certified again because the VOC has expired, the participant shall be considered income eligible for the next certification period.

- **Income Determination**

The income of a migrant farm worker family must be determined at least once a year. Any determination that a migrant farm worker has met the income standard, either in the migrant farm worker's home base area before beginning farm work for a particular agricultural season or in another area during the agricultural season, shall satisfy the income criteria for the migrant farm worker participant in any state for any subsequent certification during that agricultural season. (This procedure applies only to migrant farm workers.) If there is no indication that this was completed on the VOC form, the local agency must determine financial eligibility at the next certification. Lack of documentation for income should not be a barrier for migrant farm worker families to receive WIC benefits. Farm workers who are unable to provide documentation of income may self-declare their income by signing on the signature pad for an affidavit.

- **Double Food Issuance**

It is likely that individuals will receive and redeem food benefits in one state just prior to departing to another state. When they present their VOC cards in the second state, they may still be within the 30-day period of the previous food issuance. Staff must ensure that the participant does not receive double benefits. If benefits have been redeemed for the current month, staff may not provide benefits until the next month. Staff must collect and destroy unused benefits. If they are unavailable, staff should call the previous clinic to verify if the participant has redeemed the benefits.

- **Food Package**

Staff may create special food packages to meet the participants' individualized needs. With eWIC, participants can purchase as many or as few items as desired per shopping trip and have the option to purchase canned or powdered milk in lieu of fresh milk and canned beans or peanut butter in lieu of dry beans. Participants with a poor water supply, no refrigeration, or limited storage may prefer to have food packages with options such as ready-to-feed formula, juice in individual serving containers, shelf stable (UHT) milk, extra peanut butter or beans instead of eggs (at the substitution rate of 18 oz peanut butter or 1 pound beans for 1 dozen eggs). It may be beneficial for migrant farm workers to receive these special food packages more often than is suggested for other WIC participants.

- **Certification and Priority Determinations**

When funds are available to provide program benefits, the local agency must notify the migrant farm worker applicant of his/her eligibility within 10 calendar days of the first request for program benefits. Normal screening procedures will be used and all applicable nutrition risk factors assigned. At a minimum, these applicants must be considered at nutritional risk solely because of their migrant farm worker status. The applicant will be given a priority rating (1-6) using the same criteria as for all WIC participants.

In cases where a local agency is at the maximum participation level and the state has no additional funds to provide to the agency, a person with a valid VOC must be placed ahead of all other persons on a waiting list. This is because any participant with the current certification is entitled to continue receiving program benefits before a person who is not yet participating in the program. If a migrant farm worker with a current VOC arrives, he/she should be placed first on the list. However, if a migrant farm worker participant arrives with an expired VOC at an agency at maximum participation, he/she should be placed on the waiting list according to the priority rating, as any other potential participant.

- **Nutrition Education**

Providing comprehensive nutrition education to migrant farm worker participants can be challenging due to the participant's transient lifestyle. Although they may have access to nutrition education, often they are not in an area long enough to benefit continuously from any comprehensive nutrition education program designed by a state or local agency. In some instances, language barriers exist which also add to the difficulty of supplying appropriate nutrition education to migrant farm worker families.

Many migrant farm workers have participated in WIC Programs in other states where food delivery, allowable foods, and the method of payment (i.e. eWIC card) are very different. Therefore, priority topics for education should include:

- ✓ How to use WIC food benefits.
- ✓ A description of WIC allowable foods in Colorado.
- ✓ How to use the WIC foods with limited storage and equipment.

Nutrition education concerning food preparation should be suited to the participant's conditions. For instance, many migrant farm worker parents work in the fields for long hours and do not have time to prepare complicated meals. Tips on food preparation in nutrition education sessions should take this into consideration.

Printed Spanish nutrition education materials are available from the State WIC Office and online versions are available on the USDA WIC Works Resource System. Refer to the [CO WIC Program Materials Order Form](#) posted on the Colorado WIC Program web site for the complete listing.

Migrant farm workers in Colorado are from various ethnic groups. It is important that those providing nutrition education understand the ethnic dietary practices of these groups. One of the most important factors in teaching nutrition to various cultural groups is to emphasize the positive aspects of the diet and suggest only those changes that will fit into the lifestyle of the family.

- **Outreach**

Outreach to migrant farm worker participants is needed more than outreach to the general WIC population because their newness to the area often means they do not know where to obtain WIC services. Outreach is also necessary to overcome the isolation from the main population, which is inherent to the migrant farm workers' lifestyle.

- **Contacts with Farm Worker Groups**

Local farm worker organizations are another important community resource for assistance in reaching migrant farm worker participants. Migrant farm workers usually know these organizations and the organizations are very familiar with the situations of migrant farm workers in their area. Some farm worker organizations may be willing to assist the local agency in the actual provision of outreach, or the local agency may wish to contract with the organization for outreach services. At a minimum, these groups can provide information on when to expect migrant farm workers to arrive, how many usually come, how long they will stay and where they are likely to reside.

- **Flexibility of Services**

Another very important factor in serving migrant farm workers is flexibility of service hours. Since farm work is so unpredictable, migrant farm workers must work when employment is available. If the mother or other adult responsible for WIC appointments is working in the fields, she or he may be unable to make appointments during daytime clinic hours. One solution to this problem is for the WIC staff to schedule after-hour clinics for certification appointments and then offer alternate nutrition education methods for follow up visits, such as wichealth.org or a telephone or interactive video call while still providing an effective second nutrition education contact. If the participant chooses an alternate nutrition education method for the follow up visit, food benefits can be issued remotely.

Holding a WIC clinic at the migrant farm worker camp is an effective way to reach the participants. Such an approach would eliminate transportation problems of those who have no way to reach WIC clinics.

- **Additional Resources for Migrant Farm Workers**

Health service locations can be accessed through the Bureau of Primary Health Care, a division of the U.S. Department of Health and Human Services at <http://www.bphc.hrsa.gov/>.

Information on legal services can be accessed through Colorado Legal Services, Inc., Farm Worker Division, (303) 866-9366 or 1-800-864-4330.

Other information for or about migrant farm workers is available through the National Center for Farmworker Health, Inc., 1-800-531-5120, <http://www.ncfh.org/>.

WIC Services to the Homeless

Definitions of a homeless facility, family, and homeless individual are as follows:

Homeless Facility: Any of the following facilities which provide meal service: a publicly supervised or privately operated shelter, including a welfare hotel or congregate shelter, designed to provide temporary living accommodations; a facility that provides a temporary residence for individuals intended to be institutionalized; and a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

Family: A group of related or nonrelated individuals who are living together as one economic unit. Residents of a homeless facility or an institution shall not all be considered members of a single family.

Homeless Individual: A women, infant, or child who lacks a fixed and regular nighttime residence, or whose primary nighttime residence is: a publicly supervised or privately operated shelter including a welfare hotel, a congregate shelter, or a shelter for victims of domestic violence, designated to provide temporary living accommodations; an institution that provides a temporary residence for individuals intended to be institutionalized; a temporary accommodation in the residence of another individual not exceeding 365 days; or a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

Questions must be asked to gain insight as to whether a participant can be defined as homeless when living with another. The following two examples depict different situations:

- If the mother and baby have been staying with her sister for 10 months but are sleeping on the living room floor and the brother-in-law is losing patience and demanding that she find a job but she can't because no one else can watch her baby—she's probably homeless.
- If a mother and baby are staying with her sister, have their own room, bring in income from a part-time job, split grocery costs and share child care with the sister—they probably aren't homeless, no matter how long they've been there. It sounds like a fairly fixed arrangement.

Providing WIC Program Services to the Homeless

Every effort must be made by State and local agencies to reduce barriers that could prevent homeless persons from receiving WIC Program benefits. This includes the following:

- **Financial Eligibility**
A homeless person may not be excluded from receiving WIC benefits due to an inability to provide proof of financial eligibility. If the person is living in a shelter or institution, the "family unit" does not include other residents of the shelter. Only the participant or unit of related persons shall be counted. A homeless person who reports zero income or is unable to provide documentation of income may sign a statement of self-declaration of income or a statement of zero income. Lack of documentation should not be a barrier for homeless people to receive WIC benefits. (Refer to the **Certification, Eligibility and Coordination, Section 8 of the Program Manual** regarding individuals who claim zero income.)

In Colorado a temporary accommodation is defined as residence with another individual(s) not exceeding 365 days. If the person is living in a temporary situation in a shelter or in a friend's home, he/she can be considered an economic unit of one. A pregnant woman with her 2-year old child would be an economic unit of three. If after 365 days the participant continues to live in the same residence, then the entire household is considered an economic unit and the total household income should be used for WIC screening.

- **Residence Eligibility**
A homeless person may not be excluded from receiving WIC benefits due to an inability to provide proof of residence. (Refer **Certification, Eligibility and Coordination, Section 8 of the Program Manual** for procedures regarding individuals who cannot prove residence.)

- **Certification**

Normal screening procedures for certification should be used and all applicable nutrition risk factors assigned. At a minimum these applicants must be considered at nutritional risk solely because of their homeless status. A participant's homeless status should be entered in the Contact/Address panel in Compass.

If during certification it becomes known that the individual resides in a shelter, the staff member should determine if it is a WIC-eligible shelter. The State Office will provide a list of participating homeless shelters to each local agency.

Persons staying at a homeless facility should be enrolled for one full certification period even if the shelter is not a WIC-eligible shelter prior to the date of certification. The agency should determine if the shelter is willing and able to be a WIC-eligible shelter prior to the participant's recertification date. The participant should be advised that he/she would not be able to receive WIC food benefits at the next certification period if the shelter is not willing to be a WIC-eligible shelter.

Participants who continue to live in a shelter which will not comply with the WIC eligibility conditions can be recertified, but will not be able to receive food package benefits with the exception of infant formula. The participant can still receive nutrition education and referral services. The participant should then be given the name of a WIC-eligible shelter in the vicinity so he/she can relocate.

- **Verification of Certification (VOC)**

In order to facilitate a homeless individual staying on the WIC Program when he/she moves, a Verification of Certification (VOC) form should be issued at the first participant visit. The purpose of the VOC form should be thoroughly explained and it will be necessary that the participant bring the VOC form to each visit. It is important that the date of food benefits issuance be noted on the VOC form each time food benefits are given. For a detailed description of the use of VOC forms, see the **Certification, Eligibility and Coordination, Section 8 of the Program Manual**.

- **Food Package**

Colorado WIC regulations allow local agency staff to adapt the WIC food package to accommodate the unique needs and circumstances of homeless participants. Some of these adaptations may be necessary because of their living circumstances. No exemptions or exceptions are allowed from the requirement for medical documentation to support the issuance of exempt infant formulas and WIC-eligible medical foods.

Current regulations that require the food package be consumed by the eligible participant only also apply to homeless persons. If the person is residing in a shelter, the WIC food package must be kept separate from the general inventories and be used by the participant only.

Food package tailoring guidelines should be used appropriately when issuing food benefits. Information regarding storage, transportation, ability to access the grocery store, and use of specific food items should be obtained when certifying the participant. Considerations may include:

- ✓ There may be a need to offer smaller amounts of perishable foods and larger amounts of storable foods, based on available storage.
- ✓ If proper refrigeration is not available, eggs and fluid milk, including evaporated, may not be issued to the participant. Powder or UHT milk should be issued instead. The participant should be instructed to mix one glass of milk at a time. Nonfat dry milk should not be used for children between 12-24 months of age.
- ✓ Eggs may not be issued if refrigeration and cooking facilities are not available. One 18-ounce jar of peanut butter may be substituted for 1 dozen eggs.
- ✓ Participants may be issued single serving containers of juice.
- ✓ Breastfeeding should be encouraged as the easiest and safest way to feed the infant. Formula-fed infants should receive powder formula, mixed one bottle at a time. Ready-to-feed formula may be issued according to Colorado WIC Food Package Tailoring Guidelines.

For a more detailed description of food package tailoring and homeless food package guidelines, please see *Food Package Tailoring* in the **Program Manual, section 6, Food Funds** section.

HOMELESS FOOD PACKAGE GUIDELINES

WIC Food	Refrigeration, dry storage, and cooking	<u>NO</u> refrigeration and <u>NO</u> cooking facilities with dry storage
Milk	Same as regular food package whereby participant may choose to purchase fluid milk in quarts, half-gallons or gallons, -or- powdered, or evaporated milk	Powder or UHT
Cheese	Substitute for milk - same as regular food package	Substitute for milk-same as regular food package
Eggs	Same as regular food package	Substitute peanut butter or beans
Juice	Same as regular package -or- issue single serving juice	Single serving
Breakfast cereal and infant cereal	Same as regular package	Same as regular package
Whole grains	Same as regular package	Same as regular package
Peanut butter and beans	Same as regular package whereby participant has a choice of peanut butter, dry or canned beans	Encourage purchase of peanut butter or canned beans
Canned fish	Same as regular package	Encourage purchase of single serving size cans
Fruit & Vegetable voucher	Same as regular package	Encourage purchase of less perishable items such as apples and carrots
Formula	Powder <u>or</u> liquid conc. or ready-to-feed	Powder

- **Food Benefit Issuance**

The decision to provide monthly or tri-monthly WIC food benefits will be determined by the local agency. The average stay in a homeless or battered woman's shelter is usually less than one month. It is recommended because of the limited amount of time the participant may stay in an area that a homeless individual be issued food benefits on a month-to-month basis. Factors to consider when determining benefit issuance include: length of time the individual plans to stay in the area, length of time it is possible to stay in the shelter, nutritional risk factors, and access to transportation.

If the person is living in a shelter, the WIC foods must be kept separate from the general inventories and be used by the participant only. Information regarding storage, transportation, ability to access the grocery store, and use of specific food items should be obtained when certifying the participant.

- **Nutrition Education**

Providing effective and appropriate nutrition education to homeless persons requires that staff have an understanding of the participant's transient lifestyle. Because a participant may only be enrolled for a short period of time, ongoing, long-term education goals may not be appropriate. Nutrition education should focus on the participant's specific needs. Priority topics for discussion include:

- ✓ How to use the eWIC card.
- ✓ List of WIC-allowable foods.

- ✓ Referral to other services.
- ✓ Use of WIC food with an emphasis on food safety, sanitation, and storage.
- ✓ Fast and easy nutritious snacks.
- ✓ Preparation of foods that require little or no cooking.

Other information that should be covered with participants who live in a homeless shelter includes the following:

- ✓ WIC benefits are for the participant only.
- ✓ WIC foods cannot be used in communal feeding.
- ✓ The facility cannot prevent WIC participants from receiving WIC foods and nutrition education.

- **Outreach**

Local agencies should include in their outreach plans a procedure for identifying and contacting organizations in their community who work with homeless persons. These organizations should be made aware of the WIC Program.

Approval Process for WIC-Eligible Shelters

The steps for approving a shelter are as follows:

1. Local Agency forwards name and address of facility wishing to become a WIC-eligible homeless shelter to the State WIC Office.
2. State Office sends information and an Application for Approval of a Homeless Shelter (WIC #90) to the shelter.
3. Shelter returns the completed form to the State Office.
4. State Office reviews the form for ability and willingness to comply with required eligibility conditions. If the shelter meets criteria, they become provisionally authorized.
5. State Office sends *Letter of Agreement* signed by State staff with provisional authorization to the shelter. A copy is sent to the local WIC agency to inform staff of the need to visit the shelter.
6. A representative of the local WIC Program visits the shelter within 60 days to conduct an initial orientation visit. This visit will serve as an opportunity for the local WIC Program to become more familiar with the facility, review compliance with the *Letter of Agreement*, and provide information regarding WIC to the shelter. WIC outreach pamphlets and posters should be distributed and displayed in the shelter. The representative completes the Initial Evaluation of a WIC-Eligible Homeless Facility form (WIC #91).
7. After the orientation visit, the local WIC Program representative returns the completed Initial Evaluation of a WIC Eligible Facility form to the State Office. If the shelter is found to be able to comply, a letter will be sent from the Colorado Department of Public Health & Environment/WIC Program to the shelter and local agency, stating that the shelter is a fully-authorized WIC shelter.
8. A biennial (one time every two years) evaluation by a local WIC representative is required to ensure continued compliance with the *Letter of Agreement* and to allow an opportunity for further community outreach with the shelter. Shelters may receive an on-site visit or telephone contact at the discretion of the local agency. The Biennial Evaluation of WIC-Eligible Homeless Facility form (WIC #94) is to be completed every two years and a copy should be sent to the State Office within thirty (30) days of the evaluation.

WIC Services to Refugees

Refugee status is not considered when establishing eligibility for the WIC Program. It is therefore not necessary to determine whether or not an applicant is a refugee. In most instances, WIC applicants who are refugees should be treated in the same manner as any other individual who applies for WIC services. Some special considerations for refugee applicants may be:

- **Residence Eligibility**

In many instances, recent refugees will not have a permanent place to live and therefore may be considered homeless. The Colorado WIC Program has regulations allowing WIC certification for individuals unable to provide documentation of address. Instances can occur when refugees living temporarily in a private residence with a family fall within the definition of homeless. (See *WIC Services to the Homeless* in this section for more information.)

- **Financial Eligibility**

The Colorado WIC Program defines a household/family/economic unit as a group of related or non-related individuals who usually (although not necessarily) live together and share economic resources and consumption of goods and/or services. As part of the assessment process, local agency staff will need to ask clarifying questions to determine the exact economic unit for refugee applicants living in the residence of another individual.

Colorado WIC Program regulations require all applicants to provide documentation of income at the time of certification. When this requirement presents an unreasonable barrier to participation in the WIC Program, Colorado WIC regulations allow for a self-declaration of income **by signing on the signature pad for an affidavit.**

- **Nutritional Risk**

The local agency is expected to perform a complete nutrition assessment for each refugee applicant who may be suffering from other medical or dietary nutrition risk factors that require prompt attention and/or referral to a health care provider.

- **Food Benefit Issuance**

The decision to provide monthly or tri-monthly WIC food benefits will be determined by the local agency. Factors to consider when determining benefit issuance include: length of time the individual plans to stay in the area, length of time it is possible to stay in their current living arrangements, nutritional risk factors, and access to transportation.

- **Nutrition Education**

Providing effective and appropriate nutrition education to refugee participants requires that staff have an understanding of the participant's potentially-transient lifestyle. Because a participant may only be enrolled for a short period of time, ongoing, long-term education goals may not be appropriate. Nutrition education should focus on the participant's specific needs and be conducted with assistance from language translation services or bilingual staff. Priority topics for discussion include:

- ✓ How to use the eWIC card.
- ✓ List of WIC-allowable foods.
- ✓ Referral to other services.
- ✓ Use of WIC food with an emphasis on food safety, sanitation, and storage.
- ✓ Preparation of foods that require little or no cooking.
- ✓ WIC benefits are for the participant only.

Increasing Accessibility of WIC to Other Eligible Populations

In order to ensure that potentially-eligible individuals are faced with fewer barriers in attaining WIC services, agencies are encouraged to:

- Work to provide WIC Program benefits to un-served infants and children in the care of foster parents, protective services, or child welfare authorities, including infants exposed to drugs prenatally.
- Provide information about other potential sources of local food assistance to WIC applicants who cannot be served because the local WIC agency is operating at capacity.
- Improve access to WIC Program benefits for employed persons and rural residents:
 - ✓ Ensure that service delivery hours and clinic sites are accessible to working parents and to isolated rural residents by providing service during lunch times and some evening and weekend hours
 - ✓ Provide decentralized or mobile clinics, if able.
 - ✓ Schedule appointments for all employed individuals even in local agencies that use a walk-in system and do not routinely provide scheduled appointments.