

Section 5.5: Change in Guardianship and/or Foster Care – Provision of WIC Services

10/2024

References: 7CFR 246.4; [Section 5.2: Certification Procedures](#); DHS Data Practices Manual Section 16.18

Policy: Infants/children in foster care are eligible to be certified for WIC program services if they meet age, residency, income, and nutritional risk requirements.

Purpose: To ensure eligible infants and children receive appropriate WIC services, and that WIC services continue if guardianship changes.

Definition of Foster Care

A system in which minor children are placed into the home of a state-licensed foster parent. Minnesota's foster care system is state-supervised and county-administered, generally through county or tribal social service agencies.

Separate from foster care, there are informal custody arrangements in which the child's parent/guardian has placed the child in the care of another family member or friend. These arrangements are not considered foster care as administered by the MN Department of Human Services. See Guidance for more information.

Procedures

Eligibility criteria for applicants not currently active in WIC

- At the time of application, the foster infant/child is screened according to procedures described in [Section 5.2: Certification Procedures](#).
- A foster child is considered a *household of one*, with their *own household ID*.
 - If siblings enter the same foster care home, those siblings comprise a single household and one household ID number is assigned to them.
- Most infants/children in foster care are eligible for MA. Verify status of adjunct eligibility at certification/recertification appointments.
 - If the child is not adjunctively eligible, their income is the payment made by the social service agency for the care of the child.

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- If this documentation is not available, the child can be certified temporarily, provided one month of food benefits, and the foster parent asked to provide the information the following month.
- Confirm guardianship/custody by reviewing appropriate documents.
 - If documentation of guardianship is not available, the child can be certified temporarily, provided one month of food benefits, and the foster parent asked to provide the information next month.
 - Document any exceptions and reasons if guardianship/custody information is not available.
- Assign risk factor [903 Foster Care](#) at the certification if the infant/child entered foster care, or moved from one foster home to another foster home, during the previous 6 months.
- Provide careful nutrition assessment and counseling. Foster children are among the most vulnerable participants and may require additional follow-up, support and/or referral to other health care programs.

Transferring a participating child from parent to foster care or other custody arrangements

- Verify placement of the infant/child in foster care.
- Give the infant/child *a new household ID*. The state ID number will remain the same; only the household number will change.
- Issue a new WIC card to the guardian.
- If another family member in the foster child's original household is also enrolled in WIC, place an alert in the foster child's original household record stating that the child in foster care has a new household ID number.

When a child returns to the original household (biological family) or is adopted

- The child continues in an active certification.
- Add the child to the biological family or adoptive family household if applicable.
- If there are no remaining household members, the card issued to the previous household is automatically deactivated.

Issuing food benefits

- Assess if unredeemed food benefits and/or foods redeemed but not used (including infant formula), are available to the new guardian.
- The information system will suggest transferring the remaining food benefits to the new household. Additionally, the CPA may reissue current month's benefits based on the

assessment of foods available to the new guardian and how much of the benefit month remains.

- Transfer any remaining food benefits to the new household, if appropriate. In addition, the CPA may reissue current month's benefits based on the assessment of foods available to the new guardian and how much of the benefit month remains. The previous household will no longer have access to the child's benefits.
- Issue food benefits monthly if there are questions about how long the child will be in foster care and/or in that particular foster home.
- Remind foster caregivers that any current and future food benefits ***belong to and should go with*** the child when the child leaves their home, and may not be used by foster caregivers.

Data Privacy related to foster care

- The foster parent is acting as the child's legal guardian. Therefore, information cannot be released to anyone other than the foster parent/legal guardian without a signed release from the foster parent/legal guardian.
- Foster conditions may vary depending on the family situation, foster administrator, and court decisions. Data privacy procedures may need to be handled differently if the WIC agency receives documentation of other legal arrangements.
- Protect privacy of foster parents (see guidance).

Documentation related to foster care

- Place an Alert in the child's record indicating the child is in foster care. It will be a reminder to the next staff person to ask if there have been changes.
- Document health and feeding information in Notes.

Guidance

Lack of custody documentation

- Ask the foster parent to have the infant/child's social worker send an email or written statement verifying foster placement.
- Changes in household may be informal or formal. The intent of this policy is to ensure that certified children have access to their food benefits.

Informal custody arrangements that are not formal foster care through the state

- When certifying the child, if not adjunctively eligible, determine who is providing the financial support for the child, and use the income of that household.

- A note from the birth parent, MA/SNAP caseworker, or social worker may be used to confirm the child’s residence in that home.

Managing multiple WIC Cards

- If a foster family has multiple foster children who are unrelated participating in WIC, each child or sibling group is a unique household with their own WIC card.
- For each child, along with their household ID, you might include *the child's initials* on the back of the card, to link the Card to the corresponding child.

Concerns about safeguarding the foster parent’s identity

- The correct names and addresses of foster parents must be listed in Demographics.
- **Do not** include the name of the foster parent or other identifying information in Notes, because Notes remain part of the permanent record.
- In situations where there is a heightened need to protect the identity of the foster parent, use an Alert to notify staff - make it meaningful and succinct to ensure it is read (e.g., “FOSTER CARE - MUST READ” or similar text).
 - Instruct staff to “edit” information, if updated, rather than creating new alerts.
 - Remind staff to read all Alerts each time, as well as to delete unnecessary Alerts.
- **It’s not necessary to scan** documents regarding foster placement into the child’s record. The CPA can indicate in Notes that they reviewed the documents.

Reference – Complete Listing of Hyperlinks

Section 5.2: Certification Procedures

(https://www.health.state.mn.us/docs/people/wic/localagency/program/mom/chsctns/ch5/sctn5_2all.pdf)

903 Foster Care (<https://www.health.state.mn.us/people/wic/localagency/riskcodes/903.html>)

Minnesota Department of Health - WIC Program 625 Robert St N, PO BOX 64975, ST PAUL MN 55164-0975; 1-800-657-3942, health.wic@state.mn.us, www.health.state.mn.us. To obtain this information in a different format, call: 1-800-657-3942

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