



## Policy 596

### Program Integrity: Acknowledgment of Employee Responsibilities

September 30, 2019

#### POLICY

All WIC program employees shall be informed of their responsibilities regarding program rules and regulations, including confidentiality, conflict of interest, and employee fraud and abuse.

#### PURPOSE

To provide specific references and guidelines for informing employees of their responsibilities regarding program rules and regulations and documentation requirements to demonstrate WIC program employee receipt and understanding of the information provided.

#### RELEVANT REGULATIONS

7CFR §246.2—Definitions

ORS 179.505—Disclosure of Written Accounts by Health Care Services Providers

WPM 2016-5—Separation of Duties at WIC Local Agencies

7 CFR §246—Subpart E-State Agency Provisions

7 CFR §246.26(d) Confidentiality of Applicant and Participant Information

7 CFR §246.26(e) Confidentiality of Vendor Information

#### OREGON WIC PPM REFERENCES

- ◆ [400—Local Program Overview: Responsibilities and Communications](#)
- ◆ [450—Confidentiality](#)
- ◆ [595—Program Integrity: Separation of Duties](#)
- ◆ [620—Certification and Issuing Benefits or eWIC Cards to Themselves, Co-Workers, Relatives or Friends](#)

#### DEFINITIONS

**Confidentiality:** The preservation, in confidence, of all information concerning program applicants, participants, farmers, and/or vendors that may be disclosed to WIC employees where release of said information would constitute an invasion of privacy.

**Conflict of interest:** Any relationship, real or apparent, which jeopardizes the fair and objective administration of the program, as identified between the WIC program employee and an applicant, participant, staff member, farmer or vendor.

**WIC program employee responsibilities form:** A form provided by the State WIC office for all WIC employees to sign **annually** to document the employee has been advised and understands WIC policies and regulations about confidentiality, conflict of interest and employee fraud and abuse.

**Food benefit:** The individual foods a participant receives on WIC for a selected month.

**Issued food benefits:** The benefits that have been sent to the eWIC contractor which are/will be available for purchase by a cardholder.

**WIC program employee:** Any person(s) associated directly or indirectly with a local WIC agency to provide services related to the WIC program, regardless of any funding used to support their position. Persons acting under contract, as an intern, or as a volunteer in a local agency are included under this definition.

**Employee fraud and abuse:** Any act taken by a WIC program employee that intentionally and deliberately violates program regulations, policies or procedures.

## PROCEDURE

### WIC program employee signatures

- 1.0 WIC program employees are required to sign a [WIC Program Employee Responsibilities Form \(57-200\)](#) to acknowledge receipt of information regarding employee responsibilities concerning WIC program rules and regulations. This includes confidentiality, conflict of interest, and employee fraud and abuse.
  - 1.1. The employee signature acknowledging receipt of this required information shall be obtained at initial employment and annually thereafter.

### *Signing the form*

- 1.2. The WIC program employee and the supervisor must sign the form confirming that the employee has read and understands the relevant rules, regulations, and policies.
  - 1.2.1. The WIC program employee shall complete the form in the presence of the local agency WIC coordinator, clinic supervisor, or other local agency designee; print their name and job title; and sign and date the form to indicate he/she/they has been informed of the program rules and regulations as they pertain to the form.
  - 1.2.2. The supervisor shall verify the employee has been advised of and understands the program rules, regulations, and policies around confidentiality, conflict of interest, and WIC program employee fraud and abuse, then sign and date the form.
- 1.3. The signed form should be kept in the employee's personnel file.
- 1.4. The local agency WIC coordinator may also choose to keep a copy of the completed forms for ease of access.

### Topics, examples, and references

- 2.0 The three main topics employees must be informed of and understand prior to signing the Employee Responsibilities form are: confidentiality (including HIPAA guidance), conflict of interest, and employee fraud and abuse. Depending on your agency's training plan for new employees, these topics may be reviewed with the supervisor, the employee can be directed to the references and this policy and review them on their own, or a combination of both. Some of the references listed below cite materials or websites where additional information on a topic can be found.

2.1. Confidentiality:

- ◆ [450—Confidentiality](#) (includes citation for HIPAA guidance)
- Local agency policy on confidentiality (if applicable)

2.2. Conflict of interest:

- ◆ [595—Program Integrity: Separation of Duties](#)
- ◆ [620—Certification and Issuing Benefits or eWIC Cards to Themselves, Co-workers, Relatives or Friends and Co-workers](#)
- Local agency policy on confidentiality (if applicable)

2.3. Employee fraud and abuse:

As defined above, employee actions are considered fraudulent and abusive if the act was deliberately and intentionally performed. Such actions include, but are not limited to:

- Certifying oneself, co-workers, relatives or friends in the program without supervisory knowledge and/or review;
- Creating fictitious participants or employees;
- Disclosing confidential information regarding WIC participants, vendors or other employees;
- Entering false and/or misleading information in participant records;
- Failing to report conflicts of interest;
- Giving preferential treatment toward specific WIC participants or vendors;
- Issuing WIC benefits to oneself;
- Misappropriating and/or altering food benefits including, but not limited to:
  - Assigning and/or issuing inappropriate benefits
  - Inappropriately re-issuing benefits
  - Purchasing or selling benefits
- Misuse and/or theft of materials, supplies or equipment purchased with Oregon WIC program funds;
- Using WIC program funds to purchase goods or services for personal use; and/or
- Verbally or physically abusing WIC participants or other WIC program staff.

2.3.1. WIC program staff are expected to report to their manager any circumstances they observe of suspected employee fraud and abuse. If they are not comfortable going to their manager, they can report this behavior to the State WIC office.

## Consequences

3.0 In the case of intentional violation of program rules and regulations, the local agency will be expected to take disciplinary action and the state may ask for financial recovery. The WIC Program Employee Responsibilities Form may be used as

evidence of an employee’s understanding of the program rules, regulations, and policies and their agreement to accept the consequences of any violation.

**If you need this in large print or an alternate format, please call 971-673-0040.**

**This institution is an equal opportunity provider.**

## POLICY HISTORY

<b>Date</b>	<b>* Major Revision, Minor revision</b>
4/18/2003	Date of Origin
7/31/2009	Revision
4/23/2012	Revision
3/2/2015	Revision
9/30/2019	Major revision

The date located at the top of the policy is the implementation date unless an “effective date” is noted on the policy. Policies will become compliance findings 6 months from the implementation date.

Release notes can be found in the corresponding document on the [Policy and Procedure Manual page](#).

**\*Major Revisions:** Significant content changes made to policy.

**Minor Revisions:** Minor edits, grammatical updates, clarifications, and/or formatting changes have occurred.

**Date of Origin:** Date policy was initially released