Policy

Separation of Duties occurs during certification and re-certification appointments and is a standard accountability/security practice used in any operation in which valuable benefits change hands. Clinics shall ensure certification and nutrition risk assessment procedures consist of at least two separate and distinct functions performed by two different staff members.

Local agencies will separate staff activities (duties) pertaining to the following areas of responsibilities:

- Determining program eligibility (at minimum, income eligibility)
- Determining Medical / Nutritional Risk
- WIC EBT card stock control (Refer to FD: 2)

The following is taken from the USDA/FNS Memo #2016-5 regarding Separation of Duties at WIC Local Agencies:

“It is critically important to target our efforts in areas that may be susceptible to fraud or abuse. Therefore, at a minimum the staff person who determines income eligibility and medical or nutritional risk cannot be the same person. Either person may issue food benefits.”

Procedure

The following functions are required for a local agency to maintain program integrity. Please note that the following procedure relates solely to certifications. Separation of duties is not necessary at second nutrition education contacts/classes, high risk appointments, or infant and child health assessments.

When there is at least two staff members present and separation of duties can exist at any given site during normal business hours, separate and distinct procedures are required when determining program eligibility and determining medical or nutritional risk. At a minimum, the staff person who determines income eligibility and medical or nutrition risk cannot be the same person.

Alternate Procedures to Separation of Duties for One Person Clinics and Two Person Clinics Where Separation of Duties is Not Possible

If a local agency finds they cannot achieve acceptable separation of duties, closer supervision of certification records is required. Local agencies may implement the following based on clinic staffing and capabilities:

1. Each Local agency that has a clinic with more than one WIC staff available and separation of duties is not possible will be required to minimize the potential for fraud and abuse by designating an individual other than the certifier (e.g. the WIC Local Agency Director) to conduct a post review of all non-breastfeeding infant certification records and at least 20 percent of a random sample of the remaining certification records within two (2) weeks of the certification. Additionally, a file review of 10 percent of each clinic’s certification files must be conducted every six months by the WIC Local Agency Director or designee.

2. Each Local agency that has a clinic with only one staff person available to determine eligibility for all certification criteria and issue food benefits is also required to designate an individual other than the certifier (e.g. the WIC Local
Agency Director) conduct a post review of all non-breastfeeding infant certification records and at least 20 percent of a random sample of the remaining certification records within two (2) weeks of the certification.

3. If the local agency is unable to perform both separation of duties and the post record review because supervising staff also provides WIC services (determining eligibility, risk, issuing benefits), the agency shall secure arrangements with the State Agency to perform the secondary review.

**Monitoring of Staff to Prevent and Detect Fraud**

To ensure a single staff member does not determine program eligibility for all certification criteria and medical/nutrition risk for the same participant:

1. Employee permissions will be set within the NV WISH system to allow appropriate access to certification and medical/nutrition risk determination functions.
   a. Staff working within clinics where separation of duties cannot occur may be approved for security access within NV WISH by the State WIC Director that would allow the staff person to complete intake screens, nutrition assessment and issue benefits. However, when possible, staff should avoid completing both the income eligibility determination and the nutrition risk assessment for the same participant.
      i. When possible, staff working alone on a certification should securely send copies of income/adjunct eligibility documentation to another colleague in another WIC clinic within their local agency for review and entry of the income record into NV WISH. Black-out any social security numbers that may be listed on the documentation.
      ii. When submission to another staff within the local agency is not possible, income documentation may be securely submitted to the State office for review and entry.
      iii. When secure submission of documentation to outside staff is not possible, it is highly recommended to scan copies of the income documentation into NV WISH in order to assist with the auditing process that will occur. **DO NOT UPLOAD DOCUMENTS CONTAINING VISIBLE SOCIAL SECURITY NUMBERS.**

2. Staff who have been approved for separation of duties exceptions will have their certification records reviewed weekly by State WIC staff and their Local Agency WIC Director.
   a. To ensure separation of duties, the State WIC Office will run the Separation of Duties ad hoc report weekly. If any staff have completed both the income eligibility record and the nutrition risk assessment for the same client, their names will appear on the report along with the certification record in question.
   b. State staff will do an initial review of this report and send a copy of the report to any local WIC directors who have subordinate staff’s names listed on the report.
   c. For any staff members who appear on the report, the local WIC director will review the certification records to determine:
      i. whether they are legitimate, eligible participants and,
ii. whether the eligibility criteria appears to have been determined correctly.

d. Using the Separation of Duties Exception Log, the WIC Director will:
   i. Record the staff person’s name
   ii. Record the sponsors name and family ID number of the families listed on the report.
   iii. Review the records in NV WISH to look for potential violations of policy or indications of fraud of the program.
   iv. If income documentation is available, this is reviewed.
   v. A telephone call may be made to the participant to validate the information recorded in the system and verify participation. This call may be disguised as a customer service survey call.
   vi. The WIC director signs the log, verifying that no indications of potential fraud or abuse were detected, or if detected, were properly reported and investigated.
   vii. Maintain the log on file at the local agency and emails a copy of the Exception Log to the State WIC Operations Manager to keep on file at the state.