

## **Your Rights and Obligations as a WIC Participant**

### Know Your Rights:

The U.S. Department of Agriculture prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all of part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all program and/or employment activities.)

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov).

Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish).

- You may appeal any decision made by the Guam WIC Program regarding your eligibility for the Program. Write to: Administrator, Bureau of Nutrition Services, Department of Public Health & Social Services, 15-6100 Mariner Avenue, Barrigada, Guam 96913-1601.
- The WIC Program will make referrals for other community services available to you by informing you of other places you may go to receive health education, social and financial services. You are encouraged to use these services.
- You have the right to know, within twenty (20) days from the day you requested service, if you can participate in the WIC Program (10 days for both pregnant women and infants 0-6 months)
- You have the right to be told in writing why you were found ineligible.
- You have the right to be told in writing (15 days before it occurs) why you are being taken off the Program.
- You have the right to receive WIC food checks the same day that you are certified eligible.
- You do not have to pay any money for WIC application or its services.

### Know Your Obligations:

The WIC Program has rules that you need to follow if you are going to participate in the program. If you do not follow these rules, you may be taken off the WIC Program and/or be asked to reimburse the WIC program for the value of WIC foods misused.

- The foods are prescribed to keep you healthy. Do not attempt to sell, sell or trade your foods. Do not sell your WIC food checks. Do not take your foods back to the store to get money or to exchange them for different foods.
- The foods WIC provides are chosen to fit your needs. Do not select foods that are not listed on the WIC food checks.
- You should answer all the questions asked about income, medical and diet history truthfully.
- The WIC food checks are to be picked up at a certain time. If you keep your appointments, you will be sure of getting all the prescribed foods. Failure to pick up your food checks for three (3) consecutive months will result in disqualification for current program participation.
- It is against the law to get WIC food checks from more than one WIC Clinic in the same month or to be certified and participate in the WIC Program more than once during a six (6) month certification interval.

## Fair Hearing Procedures for the Guam WIC Program

You can ask for a fair hearing,

- if you think you are being taken off the WIC program unfairly.
- OR
- if you have been told you do not meet the requirements and you believe that it is unfair.

What is a fair hearing?

- In a fair hearing, you are given the chance to tell your reasons why you think you were not treated fairly by the WIC Program. You tell your reasons to a hearing official who is NOT a part of the WIC Program. This individual will make a decision that is fair and will notify you and the WIC Program of his/her decision.
- You have to ask for a fair hearing within ninety (90) days from the date you were told you did not meet the requirements or ninety (90) days from the date of the letter telling you that you were being taken off the WIC Program.

How do I ask for a fair hearing?

- You may call, write or visit the WIC Program Office. Inform them you want a fair hearing. The WIC staff will assist you with your request.
- If you do NOT want to inform the WIC Program Office, you may write or call the Department of Public Health and Social Services at: 123 Chalan Kareta, Vietnam Veteran's Highway, Mangilao, Guam 96913-6304 or call 735-7102. Provide your name, address and reason(s) for wanting a fair hearing.
- A fair hearing will be held within thirty (30) days of your request. You will be notified, ten (10) days prior to the hearing, when and where it will be held at. This will give you enough time to call the WIC Office if you change your mind about the hearing.
- You may bring a friend, family member, or legal counsel with you to present your reason(s) for you.
- Before the fair hearing, make sure you clearly understand the explanations given to you by our WIC staff as to why you did not meet the WIC requirements or the explanation given for taking you off the WIC Program.

When will I know the decision?

- You will receive the decision and the explanation for the decision in writing within forty-five (45) days from the day you requested for the fair hearing.

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