

Oregon WIC Program Participant Violation Notifications & Sanctions

Oregon Administrative Rule 333-053-0080

Effective 12/1/13

OAR	Violation	1 st instance	2 nd instance	Subsequent instances
3a	Simultaneously using own WIC benefits and acting as a store cashier for the transaction if employed by or owns store.	Notice of Non-compliance	6-month DQ and claim if claim is less than \$100 1-year DQ and claim if claim is over \$100	1-year DQ and claim
3b	Destruction of vendor or farmer property during a WIC transaction	Notice of Non-compliance	6-month DQ	1-year DQ
3c	Verbal abuse of store, farmer, or farm stand employees or owners during a WIC or FDNP transaction	Notice of Non-compliance	6-month DQ	1-year DQ
3d	Verbal abuse of state or local agency staff	Notice of Non-compliance	6-month DQ	1-year DQ
3e	Destruction of state or local agency property	Notice of Non-compliance	6-month DQ and claim if claim is less than \$100 1-year DQ and claim if claim is over \$100	1-year DQ and claim
3f	Altering a food instrument	Notice of Non-compliance	6-month DQ and claim if claim is less than \$100 1-year DQ and claim if claim is over \$100	1-year DQ and claim

OAR	Violation	1 st instance	2 nd instance	Subsequent instances
3g	Failing to notify local agency staff of change in eligibility	Notice of Non-compliance	6-month DQ and claim if claim is less than \$100 1-year DQ and claim if claim is over \$100	1-year DQ and claim
3h	Returning foods purchased with a food instrument to a WIC vendor in exchange for money or different food unless they are receiving the identical item in exchange	Notice of Non-compliance	6-month DQ and claim if claim is less than \$100 1-year DQ and claim if claim is over \$100	1-year DQ and claim
3i	Attempting to use a food instrument reported lost or stolen	Notice of Non-compliance	6-month DQ and claim if claim is less than \$100 1-year DQ and claim if claim is over \$100	1-year DQ and claim
3j	Redeeming a food instrument for unauthorized foods or formula	Notice of Non-compliance	6-month DQ and claim if claim is less than \$100 1-year DQ and claim if claim is over \$100	1-year DQ and claim
4	Misrepresenting eligibility information to gain WIC or FDNP benefits	Notice of Non-compliance and claim if claim is less than \$100 1-year DQ and claim if claim is over \$100	1-year DQ and claim	1-year DQ and claim

OAR	Violation	1 st instance	2 nd instance	Subsequent instances
5a	Assaulting or using physical force, actual or threatened, against store, farmer, farm stand employees or owners during a WIC or FDNP transaction	6-month DQ	1-year DQ	1-year DQ
5b	Assaulting or using physical force, actual or threatened, against state or local agency staff	6-month DQ	1-year DQ	1-year DQ
6a	Collusion with local agency staff to improperly obtain WIC program or FDNP benefits	1-year DQ and claim	1-year DQ and claim	1-year DQ and claim
6b	Collusion with store staff to use a food instrument for the purchase of anything other than specifically indicated WIC program benefits	1-year DQ and claim	1-year DQ and claim	1-year DQ and claim
6c	Theft of a food instrument	1-year DQ and claim	1-year DQ and claim	1-year DQ and claim
6d	Buying, attempting to buy, exchanging, attempting to exchange, selling, or attempting to sell food or formula purchased with a food instrument for cash, credit, merchandise, favors, or other non-food items	1-year DQ and claim	1-year DQ and claim	1-year DQ and claim
6e	Trafficking a food instrument	1-year DQ and claim	1-year DQ and claim	1-year DQ and claim

OAR	Violation	1 st instance	2 nd instance	Subsequent instances
6f	Collusion with store staff to accept the return of food or formula purchased with a food instrument for cash, credit, merchandise, favors or other non-food items	1-year DQ and claim	1-year DQ and claim	1-year DQ and claim
OAR	Rule			
1	During each certification visit, participants shall be informed of their rights and responsibilities, program rules and the sanctions should they intentionally violate a program rule.			
2	Whenever the Authority assesses a claim of misappropriated WIC program benefits of \$100 or more resulting from a participant violation, assesses a claim for dual participation, or assesses a second or subsequent claim of any amount resulting from a participant violation, the Authority shall disqualify the participant for one year.			
7	The Authority may decide not to impose a disqualification if, within 30 days of the date the letter was mailed demanding repayment, full restitution is made or a repayment schedule is agreed upon. In the case of a violation committed by the parent or caretaker of an infant or child participant, or by a participant under the age of 18, the Authority may approve the designation of a proxy in order to continue program benefits to these participants.			
8	Participants may reapply for benefits at any time after the disqualification period is over.			