

Homeless Participants

Policy

USDA Federal Regulations:

Homeless facility means the following types of facilities which provide meal service. A supervised publicly or privately operated shelter (including a welfare hotel or congregate shelter) designed to provide temporary living accommodations; a facility that provides a temporary residence for individuals intended to be institutionalized; or a public or private place not designed for, or normally used as, a regular sleeping accommodation for human beings.

Homeless individual means a woman, infant or child:

- (a) Who lacks a fixed and regular nighttime residence; or
- (b) Whose primary nighttime residence is:
 - (1) A supervised publicly or privately operated shelter (including a welfare hotel, a congregate shelter, or a shelter for victims of domestic violence) designated to provide temporary living accommodations;
 - (2) An institution that provides a temporary residence for individuals intended to be institutionalized;
 - (3) A temporary accommodation of not more than 365 days in the residence of another individual; or
 - (4) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

USDA Federal Regulations:

(6) Plans to provide program benefits to eligible migrant farmworkers and their families, to Indians, and to homeless individuals.

USDA Federal Regulations:

(m) Certification of persons in homeless facilities and institutions.

(1) Pregnant, breastfeeding, and postpartum women, infants or children who meet the requirements of paragraph (c) of this section, and who reside in a homeless facility, shall be considered eligible for the Program and shall be treated equally with all other eligible applicants at the local agency where they apply for WIC benefits, Provided that: the State or local agency has taken reasonable steps to:

(i) Establish, to the extent practicable, that the homeless facility meets the following conditions with respect to resident WIC participants:

- (A) The homeless facility does not accrue financial or in-kind benefit from a person's participation in the Program, e.g., by reducing its expenditures for food service because its residents are receiving WIC foods;
- (B) Foods provided by the WIC Program are not subsumed into a communal food service, but are available exclusively to the WIC participant for whom they were issued;

- (C) The homeless facility places no constraints on the ability of the participant to partake of the supplemental foods, nutrition education and breastfeeding support available under the Program;
- (ii) Contact the homeless facility periodically to ensure continued compliance with these conditions; and
- (iii) Request the homeless facility to notify the State or local agency if its ceases to meet any of these conditions.

Authority

USDA Federal Regulations: 7 CFR Part 246.2 Definitions, excerpts

USDA Federal Regulations: 7 CFR Part 246.4 (a)(6)

USDA Federal Regulations: 7 CFR Part 246.7 (m)(1)(i – iii)

Procedures

Special effort is required to seek out and serve WIC-eligible homeless individuals. There are no specific regulatory barriers to participation in the WIC Program for homeless individuals.

A homeless individual means a woman, infant or child:

- Who lacks a fixed and regular nighttime residence; or
- Whose primary nighttime residence is:
 - A supervised publicly or privately operated shelter (including a welfare hotel, a congregated shelter, or a shelter for victims of domestic violence) designated to provide temporary living accommodations;
 - An institution that provides a temporary residence for individuals intended to be institutionalized;
 - A temporary accommodation of not more than 365 days in the residence of another individual; or
 - A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

Note: A migrant farm worker is not considered a homeless individual.

A refugee is an individual who has been forced to leave his or her country due to such reasons as war, political reasons, religious persecution, or natural disaster. Refugees fear returning to their country for fear of being harmed. In many instances, refugees may not have a permanent place to live and therefore may be considered homeless. Familiarity with refugee assistance agencies can be helpful for outreach and assisting refugee participants.

The Iowa WIC Program does not provide service to residents of Iowa institutions (e.g. correction facilities).

The following conditions apply to homeless facilities where WIC participants stay:

- The facility must not gain financial or in-kind benefit from a person's participation in WIC,
- WIC foods must not be used in communal feeding,
- No homeless facility restrictions or constraints can exist relative to WIC Program participation. The homeless facility cannot restrict the ability of the WIC participant to get supplemental foods and all associated WIC services made available to participants by the WIC agency.

If an agency has applicants who are using a homeless facility in the agency's service area, contact the facility periodically by phone to verify that the facility meets the conditions above.

The local agency must ensure that the homeless facility is aware that they must notify the local agency if it ceases to meet any of the applicable conditions.

If a homeless facility has been determined to be noncompliant during the course of a participant's initial certification period, contact the State office for more information.