

10A NCAC 43D .0411 DUAL PARTICIPATION

(a) A WIC participant shall not participate simultaneously in one or more than one WIC clinic during the same period of time. For purposes of this Rule, to participate means certification in the WIC Program receiving WIC food or cash-value benefits.

(b) The state agency shall immediately terminate the participation in one of the clinics or the simultaneous participation in a single clinic, in accordance with 7 C.F.R. 246.7 (l) when a participant is found to be in violation of Paragraph (a) of this Rule.

(c) In the case of dual participation resulting from intentional misrepresentation, the participant, parent or caretaker of an infant or child participant, or proxy shall repay Program benefits improperly issued and transacted, and the participant shall be disqualified from participation in WIC in accordance with 7 C.F.R. 246.7 (l) and Paragraph (b) of Rule .0410 of this Section. For purposes of this Paragraph, receiving WIC food or cash-value benefits under two or more participant identities in a single WIC clinic during the same issuance period and transacting one or more of the food or cash-value benefits received under two or more of the identities constitutes dual participation based on intentional misrepresentation. Receiving WIC food or cash-value benefits from more than one WIC clinic during the same issuance period and transacting one or more of the food or cash-value benefits received from two or more of the clinics constitutes dual participation based on intentional misrepresentation.

*History Note: Authority G.S. 130A-361; 7 C.F.R. 246; 42 U.S.C. 1786;
Temporary Adoption Eff. July 1, 2002;
Eff. July 1, 2004;
Amended Eff. October 1, 2009;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017;
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