Agreement Between
The North Carolina Department of Health and Human Services Nutrition Services Branch WIC Program
and
The South Carolina Department of Health and Environmental Control Division of WIC Services
For Detection and Prevention of Dual Participation

Consistent with the intent of §246.7(I) of the USDA-FNS WIC Regulations, North Carolina's Department of Health and Human Services Nutrition Services Branch WIC Program and the South Carolina Department of Health and Environmental Control Division of WIC Services hereby enters into an agreement for the purpose of detecting and preventing dual participation between the participants of both WIC Programs.

Responsibilities of the programs include:

1. Local WIC staff operating clinics in contiguous local service areas located across state agency borders agrees to contact the neighboring state WIC office of the bordering WIC clinic when a participant is suspected to be participating in the WIC programs of both states.

2. If dual participation is found to occur, §246.7(I) specifies the following action be taken:
   a. The participant(s) found committing dual participation shall be terminated from one of the programs immediately. §246.7(I)(3)
   b. Where intentional misrepresentation is involved, the state WIC office or the bordering WIC clinic will:
      - Establish a claim against the participant for the full value of benefits received. (§246.7(I)(4) and §246.23 (c)(1))
      - Disqualify participant(s) from participation in both programs for one year unless exceptions stated in §246.12(u) (2) apply. (§246.7(I)(4) and §246.12(u)(2))
      - §246.12(u)(2) states that disqualification may be waived for infants, children and those participants under age 18 is the State/Local Agency approves the designation of a proxy and the competent professional authority determines that a serious health risk may result from Program disqualification.
      - Warning may be given prior to the imposition of state sanctions.
      - Participant(s) shall be advised of the procedures to follow to obtain a fair hearing pursuant to in §246.9

This agreement shall remain valid year to year (from the effective date of the agreement) until canceled or terminated by mutual consent, for cause or default, or for convenience by either party. The party desiring to terminate or cancel must give written notice of their intention thirty days prior to the date of the cancellation or termination, setting forth the reasons and conditions of said termination.

North Carolina WIC Program

Signature

5/21/2013
Date

South Carolina WIC Program

Signature

6/3/13
Date

Memorandum of Understanding
North Carolina WIC Program
and
Virginia WIC Program
For Detection and Prevention of Dual Participation

Consistent with the intent of 7 CFR §246.7(l), USDA-FNS WIC Regulations, the **North Carolina WIC Program** and **the Virginia WIC Program** hereby enter into an agreement for the purpose of detecting and preventing dual participation between the participants of both State WIC programs. Both parties agree to the following:

1. Local WIC staffs in contiguous local service areas located across State agency borders agree to contact the neighboring state WIC office or the bordering WIC clinic when a participant is suspected of participating in the WIC programs or the Commodity Supplemental Food Programs of both states.

   Once a participant is suspected of dual participating, the State agencies shall exchange data files with the appropriate State agency, unless there is routine sharing of data files. Review of the data files should be completed within thirty (30) days.

2. If dual participation is found to occur, the following action shall be taken within 120 days per §246.7(l)
   a. The participant(s) found committing dual participation shall be terminated from one of the programs immediately, i.e, the State in which the participant was most recently certified; the State in which the participant resides; or the State selected by the participant. §246.7(l)(3)
   b. Where intentional misrepresentation is involved, the state WIC office or the bordering WIC clinic shall:
      - Establish a claim against the participant for the full value of benefits received per § 246.7 (l) (4) and §246.23(c) (1);
      - Disqualify participant(s) from participation in both programs for one year unless exceptions stated in per §246.7(l)(4) and §246.12(u)(2) apply; however, per §246.12(u)(2), disqualification may be waived for infants, children and those participants under age 18 if the State/Local Agency approves the designation of a proxy and the competent professional authority determines that a serious health risk may result from Program disqualification;
      - Issue a warning prior to the imposition of state sanction, if applicable; and
      - Participant(s) shall be advised of the procedures to follow to obtain a fair hearing pursuant to §246.9.

3. The parties agree that data shared pursuant to this Agreement is confidential per 7 CFR 246.26(d). The parties further agree to restrict the use and disclosure of confidential applicant and participant information to persons directly connected with the administration or enforcement of the WIC program whom the parties determine have a need to know the information for WIC program purposes as provided in 7 CFR 246.26(d)(1)(ii).

4. When dual participation is identified, each State or the State in which the corrective action was taken shall retain all pertinent records, including corrective actions taken.

5. In the event of amendments to current Federal or State laws that nullify any terms or provisions of this Agreement, the remainder of the Agreement shall remain unaffected.

This agreement shall remain valid from the effective date until terminated by mutual consent, for cause or default, or for convenience by either party. The party desiring to terminate or cancel must give written notice of their intention thirty days prior to the date of the cancellation or termination, setting forth the reasons and conditions of said termination.

North Carolina WIC Program	**Virginia WIC Program**
Signature	Signature
9/20/11	9/21/11
Date	Date

MEMORANDUM OF UNDERSTANDING

Between
The Tennessee WIC Program
and The North Carolina WIC Program

This Memorandum of Understanding is entered into by and between the WIC Program of the Tennessee Department of Health and the WIC Program of the North Carolina Department of Health.

The purpose of the agreement is to formalize an agreement to compare lists of WIC Program participants who live near the state line between Tennessee and North Carolina and who may receive benefits from the program in both states. The expectation of the United States Department of Agriculture (USDA) is that states with common borders shall monitor for dual participation. The USDA has provided software developed for this purpose.

The parties to this agreement shall cooperate fully with each other as required for the detection of dual participation in local WIC agencies that serve populations along the state line where residents of either state commonly travel back and forth across the state line in accordance with WIC federal regulation CFR 246.7(k)(1). The parties agree that each agency will:

1) Routinely exchange lists of program participants in an electronic file format that conforms with USDA specifications;

2) Preserve the confidentiality of all data that can be used to identify participants;

3) Coordinate punitive action against any individuals, in compliance with the federal WIC regulations, who are determined to be dual participants.

The first exchange of participant lists for comparison will be made on January 3, 2003. Subsequent exchanges will be made every three months thereafter, or, if both parties agree, after one year that a less frequent exchange is sufficient to safeguard against dual participation, exchanges will be made every six months.

IN WITNESS WHEREOF the duly authorized parties have executed this one-page memorandum as of the date noted below their signature.

Tennessee Department of Health

By: Margaret J. Lewis
Director, WIC/TN Supplemental Food Program

10-9-02
(Date)

North Carolina Department of Health

By: Alice Lewis
Director, WIC/NC Supplemental Food Program

10/10/02
(Date)

Agreement Between
The Georgia Department of Public Health Office of Nutrition and WIC and
The North Carolina Department of Health WIC Program
For Detection and Prevention of Dual Participation

Consistent with the intent of §246.7(l) of the USDA-FNS WIC Regulations, Georgia's Department of Public Health Office of Nutrition and WIC and North Carolina Department of Health WIC Program hereby enters into an agreement for the purpose of detecting and preventing dual participation between the participants of both WIC programs.

Responsibilities of the programs include:

1. Local WIC staff operating clinics in contiguous local service areas located across state agency borders agrees to contact the neighboring state WIC office or the bordering WIC clinic when a participant is suspected to be participating in the WIC programs of both states.

2. If dual participation is found to occur, §246.7(l) specifies the following action be taken:
   a. The participant(s) found committing dual participation shall be terminated from one of the programs immediately. §246.7(l)(3)
   b. Where intentional misrepresentation is involved, the state WIC office or the bordering WIC clinic will:
      - Establish a claim against the participant for the full value of benefits received. (§ 246.7 (l) (4) and §246.23(c) (1))
      - Disqualify participant(s) from participation in both programs for one year unless exceptions stated in §246.12(u)(2) apply. (§246.7(l)(4) and §246.12(u)(2))
      - §246.12(u)(2) states that disqualification may be waived for infants, children and those participants under age 18 if the State/Local Agency approves the designation of a proxy and the competent professional authority determines that a serious health risk may result from Program disqualification.
      - Warning may be given prior to the imposition of state sanctions.
      - Participant(s) shall be advised of the procedures to follow to obtain a fair hearing pursuant to §246.9.

This agreement shall remain valid from year to year (from the effective date of the agreement) until canceled or terminated by mutual consent, for cause or default, or for convenience by either party. The party desiring to terminate or cancel must give written notice of their intention thirty days prior to the date of the cancellation or termination, setting forth the reasons and conditions of said termination.

North Carolina Public Health WIC Program

Signature
North Carolina WIC Program Director

4/11/2011
Date

Georgia Department of Community Health WIC Program

Signature
Maternal and Child Health Program Director

2/11/11
Date

Department of Health and Human Services
Division of Public Health
Nutrition Services Branch

The purpose of this agreement is to specify the procedures regarding the detection and resolution of dual participation in the WIC Program. Consistent with the intent of §246.7(I) of the USDA-FNS WIC Regulations, North Carolina's Department of Health and Human Services Nutrition Services Branch WIC Program and the Eastern Band of Cherokee Indians WIC Program hereby enters into an agreement for the purpose of detecting and preventing dual participation between the participants of both WIC Programs.

Responsibilities of the programs include:

1. Local WIC staff operating clinics in contiguous local service areas located across state agency borders agrees to contact the neighboring state WIC office of the bordering WIC clinic when a participant is suspected to be participating in the WIC programs of both states.

2. If dual participation is found to occur, §246.7(I) specifies the following action be taken:
   a. The participant(s) found committing dual participation shall be terminated from one of the programs immediately. §246.7(I)(3)
   b. Where intentional misrepresentation is involved, the state WIC office or the bordering WIC clinic will:
      - Establish a claim against the participant for the full value of benefits received. (§246.7(I)(4) and §246.23 (c)(1))
      - Disqualify participant(s) from participation in both programs for one year unless exceptions stated in §246.12(u)(2) apply. (§246.7(I)(4) and §246.12(u)(2))
      - §246.12(u)(2) states that disqualification may be waived for infants, children and those participants under age 18 is the State/Local Agency approves the designation of a proxy and the competent professional authority determines that a serious health risk may result from Program disqualification.
      - Warning may be given prior to the imposition of state sanctions.
      - Participant(s) shall be advised of the procedures to follow to obtain a fair hearing pursuant to in §246.9

This agreement shall remain valid year to year (from the effective date of the agreement) until canceled or terminated by mutual consent, for cause or default, or for convenience by either party. The party desiring to terminate or cancel must give written notice of their intention thirty days prior to the date of the cancellation or termination, setting forth the reasons and conditions of said termination.

North Carolina WIC Program

5/29/14
State WIC Director Date

Eastern Band of Cherokee Indians

6-30-14
Chief, Eastern Band of Cherokee Indians Date

Julie B. Maney 6/19/14
WIC Director, Eastern Band of Cherokee Indians Date