



County of Orange
C a l i f o r n i a

Thomas G. Mauk
County Executive Officer

July 25, 2006

Jon Michael Penn, Foreperson
FY 05/06 Grand Jury
Superior Court of California
700 Civic Center Drive West
Santa Ana, CA 92702

Subject: Response to Orange County Grand Jury Report: Is WIC
Income Accurately Verified?"

Dear Mr. Penn:

Per your request, and in accordance with Penal Code 993, enclosed please find the County of Orange response to the subject report as approved by the Board of Supervisors. If you have any questions, please contact Theresa Stanberry at (714) 834-3727 in the County Executive Office who will either assist you or direct you to the appropriate individual.

Very truly yours,

A handwritten signature in black ink, appearing to read "T. Mauk", is written over a horizontal line.

Thomas G. Mauk
County Executive Officer

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**2005-06 Orange County Grand Jury
Is WIC Income Eligibility Accurately Verified
Responses to Findings and Recommendations**

Responses to Findings 6.1 – 6.2

- 6.1 Income eligibility discrepancies:** Income eligibility requirements for Women, Infants and Children Program (WIC) could not adequately be verified, i.e., only 73 of 154 requested records were received and the review of the 73 records found duplicate records, omitted income documentation, inappropriate codes, and other errors.

Response: Disagree partially with the finding

While the Grand Jury was not immediately able to verify income eligibility on all records at the time of its review, the County does not agree that this amounts to “*income eligibility discrepancies.*”

HCA has retrospectively reviewed the records provided to the Grand Jury and has determined that:

- All client records submitted to the Grand Jury for review were eligible for participation in the WIC program.
- The Grand Jury was incorrect in stating in Section 5.5 that as a result of its review, a client was removed from WIC participation.
- Each record provided to the Grand Jury had a field in which income was documented with approved codes.
- There were no duplicate records. The client records included two people from the same family, so there was some duplication of family information in the individual records.

- 6.2 Improper maintenance of WIC participant records:** The Health Care Agency (HCA) did not provide the Grand Jury with all the participant records requested and is not exempt from the federal recordkeeping requirement that records be maintained for a minimum of three years.

Response: Disagree wholly with the finding

The California Department of Health Services (CDHS) has affirmed that HCA followed the proper procedure in requesting the 81 client records that were not available locally. CDHS processed the Grand Jury’s request for records and notified the Grand Jury by letter dated February 10, 2006 of the availability of the records and the cost of retrieving those records. According to CDHS, the Grand Jury did not respond to CDHS’s letter.

According to the California Department of Health Services (CDHS), HCA is in full compliance with all federal and state requirements for records maintenance and retention. The U.S. Department of Agriculture approved the State’s method of data storage and retrieval when CDHS implemented its automated data system over ten years ago and it has been affirmed in multiple audits and management reviews.

Responses to Recommendations 7.1 – 7.2

- 7.1 **Ensure adequate verification of income criteria for WIC participants:** HCA should adequately verify and document WIC participant records for income criteria.

Response: The recommendation has been implemented.

The Health Care Agency (HCA) Nutrition Services program has already taken a number of steps to ensure adequate verification of income criteria for WIC participants. Staff training on participant certification, including income documentation, was conducted on March 1, 2006 and March 16, 2006. A follow-up review was conducted on June 15, 2006.

In the area of quality assurance, the WIC program will conduct quarterly reviews of random participant records. Senior supervisors will review the written records for accuracy. Records requiring additional follow-up will be monitored to ensure that corrective actions occur. In addition, the area WIC supervisor will address errors individually with program staff.

Evaluations of the Orange County WIC program conducted by the State's Supplemental Nutrition Branch in 2004 and 2006 determined that the areas specifically reviewed for participant certification, which includes income eligibility, met standards.

- 7.2 **Adhering to federal recordkeeping requirements:** HCA should follow federal guidelines regarding WIC participant recordkeeping requirements.

Response: The recommendation has been implemented.

HCA is already in full compliance with all federal and state requirements for records maintenance and retention. The U.S. Department of Agriculture approved the California Department of Health Services' method of data storage and retrieval when the State implemented its automated data system over ten years ago and it has been affirmed in multiple audits and management reviews.