



When to Ask

You may ask for a fair hearing if you have been denied WIC benefits, disqualified from the WIC program, or asked to repay the WIC program.

If you ask for a fair hearing, you will not be turned down unless:

- You do not ask for a hearing within 60 days of being denied, disqualified or asked to repay.
- You or your representative withdraw your request for a hearing.
- You or your representative fails, without a good reason, to show up at the hearing.
- You were given a decision that was not in your favor and there is no new information that would justify a new hearing.

In accordance with federal civil rights law and USDA civil rights regulations and policies, the USDA, its agencies, offices, employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the state or local agency that administers the program or contact USDA through the Telecommunications Relay Service at 711 (voice and TTY). Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at How to File a Program Discrimination Complaint and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

Mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Mail Stop 9410, Washington, D.C. 20250-9410;

Fax: (202) 690-7442; or

Email: program.intake@usda.gov.

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Fair Hearing Information



wic
Women, Infants & Children
SOUTH CAROLINA

How to Ask

To get a fair hearing, you must:

1. Call, write or come to the WIC clinic and ask for a hearing.
2. Ask for a hearing within **60 days** from the date you were:
 - Denied WIC benefits
 - Disqualified from the WIC program
 - Asked to repay benefits

WIC Benefits

If you applied for WIC benefits and were turned down, you can ask for a hearing.

Please note: You will not get WIC benefits while you are waiting for the hearing.

If you are getting WIC benefits and you are disqualified from the WIC program, you can ask for a fair hearing.

If you ask for the hearing within 15 days, you will get WIC benefits until:

- The hearing officer makes a decision
- Your certification period ends
- Your categorical status changes

Before the Hearing

The WIC clinic will meet with you to talk about your concerns. You can cancel your hearing after this meeting. If not, you can still have a hearing. You may have a representative (friend, relative, lawyer, or other person) help you before and during the hearing.

If you hire a lawyer, you must pay the lawyer's fee. You may ask the WIC clinic for any information that you would like to talk about at the hearing.

A hearing will be held by conference call or at a place and time that is mutually beneficial within 3 weeks from the time you ask for it.

You will get a letter 10 days before the hearing takes place telling you the place and time of the hearing and/or the call-in information if a teleconference was selected.



During the Hearing

You may:

1. State your position or argument
2. Examine the documents and records
3. Be represented by an attorney or other persons
4. Bring witnesses
5. Ask questions
6. Submit evidence

After the Hearing

A Hearing Officer will make a decision within 45 days after the initial request for a hearing.

If you are an applicant:

- If the decision is in your favor, you will be enrolled into the WIC program.
- If the decision is not in your favor, you will not be enrolled into the WIC program.

If you are already in the WIC program:

- If the decision is in your favor, you will get your WIC benefits again.
- If the decision is not in your favor, any continued benefits will be terminated.

If you do not agree with the hearing decision you may appeal, provided the request for appeal is made within 15 days of the mailing date of the decision. Contact or write the WIC program.