



Food Distribution National Policy Memorandum

United States
Department of
Agriculture

Food and
Nutrition
Service

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DATE: January 6, 2010
POLICY NO.: FD-099: Commodity Supplemental Food Program (CSFP)
SUBJECT: Questions and Answers about Waiting Lists and Caseload Management

This memorandum clarifies policies and procedures regarding CSFP waiting lists and caseload management, in order to ensure that caseload is used to the maximum extent possible. Additional information regarding caseload may be found in the CSFP regulations at 7 CFR 247.21. This policy memorandum replaces Policy Memoranda FD-011, Caseload Assignment and Utilization, dated March 31, 2003, and FD-044, Use of Proxies in Certification, Recertification, and Distribution of Food Packages, dated February 23, 2005.

1. Must a local agency prioritize applicants on a waiting list in any particular order?

No. However, local agencies must meet civil rights requirements at 7 CFR 247.37, ensuring that no person is subject to discrimination on the grounds of that person's race, color, national origin, age, sex, or disability. A local agency may certify eligible individuals from the waiting list based on the date the application was received on a first-come, first-served basis.

2. Should local agencies refer eligible women, infants, and children to the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)?

Yes. The Food, Conservation, and Energy Act of 2008 (Farm Bill) eliminated the statutory preference in CSFP for women, infants, and children. Therefore, some of the individuals who previously participated in CSFP may be denied program benefits when States do not have sufficient caseload to serve all eligible applicants. It is particularly important, in areas where both CSFP and WIC operate, for local agencies to best serve the interests of women, infants, and children by referring them to the appropriate program. Given the greater accessibility to health care and nutrition education, WIC is the more appropriate program for women, infants, and children who are eligible for benefits.

3. Must the State agency require its local agencies to certify applicants as eligible for CSFP before placement on the waiting list?

No. However, State agencies may permit this practice, particularly for seniors 60 years of age and older. Certification of seniors as eligible for CSFP before placement on the waiting list may eliminate the need to do so when a caseload slot opens up, thus saving time. This is because seniors may have fixed incomes, which can be verified at the initial eligibility determination. In such instances where a senior applicant with a

fixed income was deemed eligible for CSFP before placement on the waiting list and a caseload slot opens up, the local agency must at minimum:

- a. Verify the individual's address and continued interest in receiving program benefits, and
- b. Have sufficient reason to believe that the individual still is eligible for program benefits.

It should be noted that, for a senior who has remained on the waiting list for greater than six months, the local agency must perform a full recertification before providing the individual benefits. This ensures program integrity.

For eligible women, infants, and children applicants, referral to WIC is highly recommended, particularly if there is a CSFP waiting list. If referral is not an option because an applicant would not be eligible for WIC (e.g., a child is over five years of age, or a women is greater than six months postpartum), or an applicant chooses CSFP over WIC, then the State agency may permit the local agency to certify that applicant's eligibility prior to placement on the waiting list. However, due to the increased likelihood that such individual's circumstances could change in a relatively short period of time, the local agency must perform a full recertification prior to providing that individual CSFP benefits.

4. What is the minimum period by which an eligible individual can be certified to participate in the program?

The maximum participant certification periods are provided at 7 CFR 247.16. Participant certifications for these timeframes may not be feasible when a regular program participant misses a scheduled distribution, and the local agency cannot reach the individual for food package pickup or delivery after making every reasonable effort to do so. In order to fully use caseload and serve as many food packages as authorized, the State agency may permit its local agencies to provide temporary CSFP benefits to participants on waiting lists.

Because participants must receive at least one month's worth of supplemental foods per program regulations at 7 CFR 247.10 and applicable guide rates, the *minimum* participant certification period is one month. If certifying a participant for only one month, the local agency must provide the participant notification of placement back on the waiting list at the time of issuance. The individual temporarily certified should not have any expectation that he or she will receive benefits for successive months, if the local agency does not expect to have caseload open to do so. By permitting a local agency to provide CSFP benefits in this fashion, the State agency can maximize caseload use each month.

5. What methods of communication can local agencies use to maximize program participation within assigned caseload?

Communication is critical to ensuring that participants know where and when scheduled distributions will take place, including home deliveries. Per the regulations at 7 CFR 247.15, the local agency must inform the new participant of the time, location, and means of food distribution, as well as the length of the certification period. Many local agencies provide participants printed calendars showing the distribution times, dates, and locations, including the dates for delivery to homebound individuals.

In addition, some local agencies regularly contact participants via telephone prior to the distribution to confirm the date, time, and location, as well as participants' intent to participate

that month. If an individual misses a distribution, a local agency may wish to contact the individual again to confirm continued interest in receiving benefits, and give them another chance to obtain the CSFP benefits. Local agencies may provide an alternate pickup or delivery date and time if available. Distributing food packages early in the month allows local agencies additional time to make alternate arrangements.

6. May State agencies permit the use of proxies during certification and recertification, as well as food package distributions?

Yes. A proxy is any person designated by the participant, or by the adult parent or caretaker of the participant, to obtain supplemental foods on behalf of the participants. Allowing the use of proxies in CSFP significantly reduces a barrier to participation in the program for eligible homebound seniors and other qualified individuals with limited mobility.

State agencies that choose to permit the use of proxies must require local agencies to implement procedures that deter fraud. At minimum, State agencies must require local agencies to:

- a. Obtain proxy designations in writing, including the period of time the designations are intended to cover;
- b. Maintain files of all written proxy designations; and
- c. Review proxy identification prior to each certification, recertification, and food package distribution.

State agencies must also ensure that local agencies meet all program requirements prior to permitting the use of proxies, including the provision of nutrition education and health care referrals to the participant, or the participant's adult parent or caretaker.

7. Must State agencies proactively monitor program participation and caseload usage rates?

Yes. CSFP State agencies must proactively monitor participation and caseload usage rates on a monthly basis, and ensure that participation does not exceed assigned

caseload on an average monthly basis. The FNS-153, Monthly Report of the Commodity Supplemental Food Program and Quarterly Administrative Financial Status Report, contains the reported data necessary to accomplish this task. In addition, State agencies often use computer software, such as commonly available off-the-shelf spreadsheet software, to monitor participation and caseload usage rates. Over time, participation trends can be identified and addressed.

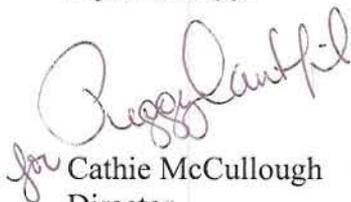
8. May State agencies institute a participant no-show policy, or allow their local agencies to do so?

Yes. In some States, after a participant misses two or three consecutive distributions, that individual is discontinued from the program with 15 days' written notice prior to the effective date, consistent with CSFP regulations at 7 CFR 247.17. This enables the local agency to better serve individuals on the waiting list. State agencies may also permit local agencies to provide

temporary one-month benefits to eligible individuals off waiting lists, should a regular program participant choose to forego benefits for that month. See the answer to Question Number 4 for further details.

9. Is the State agency permitted to adjust local agencies' caseloads based on past performance?

Yes. Some State agencies adjust their local agencies' caseload and administrative funding allocations periodically, based on past participation and caseload usage rates. These adjustments may be performed annually or at another frequency, provided the State agency communicates its expectations up front, preferably in a written agreement between the State and local agency. This is an acceptable practice, because it provides an incentive for local agencies to manage caseloads effectively. However, the State agency must ensure that program participants currently being served by the local agency or agencies are not discontinued from CSFP due to the performance adjustment(s).


for Cathie McCullough
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