

Georgia Commodity Supplemental Food Program State Policy & Procedure Manual

Introduction

The Commodity Supplemental Food Program (CSFP) is a United States Department of Agriculture (USDA) program that provides free, nutritious USDA commodity foods to eligible participants. Low-income elderly persons are categorically eligible to participate in CSFP if otherwise eligible.

Georgia was one of 7 new states awarded funds to operate CSFP in December 2009. With the FY 2023 Appropriations Bill, Georgia was awarded \$564,365 in administrative funds for management of the program and 6,390 caseload slots.

The total number of participants that may be provided benefits by CSFP each year is determined by USDA. The state is assigned a caseload which identifies the total number of individuals that may receive food from the CSFP which cannot be exceeded during the federal fiscal year (October 1-September 30). When all caseload slots for the fiscal year have been filled, the State agency must implement a waiting list. Waiting list data will be used by the State agency to document the need for additional caseload slots when requesting a caseload expansion from USDA.

The Department of Human Services (DHS), Division of Family and Children Services (DFCS) is the designated State agency responsible for administration of CSFP. To accomplish the goals of the program, GA DHS-DFCS has entered into agreements with two food banks that already serve the target counties through other USDA and non-USDA programs. To complete the eligibility determinations, nutrition education and food distribution activities of CSFP, these food banks have established agreements with other non-profit and/or public entities that are identified as the Local Distributing Agencies (LDAs).

DFCS' State Office of Family Independence is responsible for administering CSFP in Georgia. The State Office of Family Independence is available to assist with problems and answer questions regarding CSFP. Food banks may contact the State Office Food and Nutrition Unit at (404) 657-3745 if they need assistance with the CSFP program.

This manual has been developed as policy guidance for the State operation of the CSFP as well as to assist the food banks and LDAs in the successful operation of the CSFP. This manual should be used in conjunction with applicable federal regulations as found in The Electronic Code of Federal Regulations.

I. GA CSFP OVERVIEW

The **Commodity Supplemental Food Program (CSFP)** is a USDA, Food and Nutrition Service program that provides nutritious commodities to eligible participants and nutrition education to assist participants in making healthy food choices. The program also provides recipes for food products received through the CFSP.

In Georgia, the CSFP is currently available in 30 counties through the following food banks:

Second Harvest of South Georgia Food Bank located at 1411 Harbin Cir, Valdosta, GA 31601 and serves Berrien, Brooks, Clinch, Coffee, Colquitt, Grady, Lanier, Lowndes, Thomas, Tift and Turner Counties.

Atlanta Community Food Bank located at 3400 N Desert Dr, East Point, GA 30344 and serves Bartow, Butts, Carroll, Clayton, Cobb, Dawson, DeKalb, Douglas, Fayette, Fulton, Gwinnett, Henry, Morgan, Newton, Paulding, Polk, Rockdale, Spalding and Walton Counties.

Individuals residing in one of the active counties may apply to participate in CSFP. Active counties are subject to change based on slot allocation and/or participating LDAs.

II. Certification and Eligibility Criteria

To be determined eligible, an applicant must:

- be categorically eligible (age 60 or older)
- be income eligible (including categorically income eligible) **Categorical income eligibility means the applicant receives Supplemental Nutrition Assistance Program (SNAP), Supplemental Security Insurance (SSI) or Medicaid (Title XIX SSA) benefits, AND**
- meet residency requirements.

To participate in CFSP there shall not be any nutritional risk requirement or criteria imposed, eligibility must be verified, and the type of verification must be documented on the *Commodity Supplemental Food Program Application Form*.

Class (Age) Eligibility Verification

Acceptable forms of verification include, but are not limited to:

- Driver's License
- State issued ID card
- Birth Certificate
- Voter's Registration Card
- Military Record
- Marriage License
- Vaccination Records
- Religious Records

Income Eligibility

To be eligible, the household must have income at or below 150 percent of the federal poverty income guidelines. Georgia's CSFP program uses **The Federal Poverty Income Guidelines**, published annually by the Department of Health and Human Services (HHS).

Income Eligibility determinations are based on:

- The *household's gross income for the family unit*. The family unit is defined as a group of related and non-related individuals who share all the income and expenses of its members. Applicants living with others and claiming separate household status may be certified for CSFP without considering the income of the other household members. (**Note:** Separate household status cannot be granted to spouses living in the same physical dwelling.)
- The *current income received by the household* at the time the application is being submitted. The household's average income received during the previous 12 months may be used to determine eligibility if it more accurately reflects the household's status.

The applicant's statement is acceptable verification for income and must represent the gross income amounts from all sources.

Residence

All CSFP participants must reside in Georgia to participate in the program. LDAs may serve only the individuals living in the counties where their agency is physically located.

Residency Verification

Acceptable forms of verification include, but are not limited to:

- Current utility bill or current rent receipt (both with the individual's name and address)
- Driver's license or other state issued ID card (at current address)
- Current letter addressed to the applicant at the current residence.

Application Processing

To participate in the CSFP, applications must be submitted to the Local Distributing Agency (LDA) in the applicant's county of residence.

A completed Commodity Supplemental Food Program Application Form must be maintained on file for each applicant.

Individuals wishing to file an application for CSFP must be allowed to do so at the time they appear at the Local Distributing Agency (LDA) location during normal office hours.

An application will be considered valid and filed effective:

- the date on which the applicant or his/her authorized representative visits the LDA office and submits a complete signed application.
- the date of the home visit if a home visit is made and the signed application is completed.

The application date documented on the CSFP Application form should be the same as the date the application is filed.

Filing the Application

The following persons may apply on behalf of elderly persons:

- A spouse
- A relative
- A caretaker relative of the elderly applicant if the applicant is homebound or for other reasons is unable to apply on his/her own behalf. In this situation, LDA staff must verify that the elderly individual does exist. A home visit or telephone conversation with the elderly person must occur prior to certification unless the LDA staff person has personal knowledge that the elderly applicant exists and is not living in a nursing home. The applicant's file must also be documented explaining the reason the individual is not able to submit the application in person.

Interviews

A face-to-face interview is required to initiate the eligibility determination process.

The interview must be conducted by LDA staff or trained volunteers must be given authority to do so by the LDA staff.

The LDA staff:

- Does Interviews
- Gathers information
- Determines eligibility

The volunteer staff:

- Does Interviews
- Gathers Information

During the interview, the LDA or volunteer staff must discuss with the applicant the following:

- the eligibility determination
- fair hearing rights
- notification procedures
- food delivery system

- that the food provided by the program is intended for use by the applicant/applicant's household group solely
- the importance of healthcare and the role nutrition plays in maintaining good health
- nutrition education activities
- nutrition education resources that are available
- that the CSFP is a supplemental food assistance program
- that the CSFP can only be received at one location monthly
- all other pertinent information required for successful participation in the CSFP

Processing Standards

Processing standards *without* a waiting list

1. CSFP applicants must be certified and provided with written notification of their eligibility within 10 calendar days from the date of application. The 10-day timeframe does not apply to telephone and face-to-face inquiries.
2. Supplemental foods should be received within 10 calendar days of the date the "Eligibility Notification Letter" is received by the household informing them of program eligibility.

Processing standards *with* a waiting list

A waiting list is established when the maximum caseload has been reached and there are no slots available to serve individuals.

When an individual is placed on a waiting list, he/she must:

- receive notification of their placement on the list within 10 calendar days from the date the application was filed.
- be given the "Eligibility Notification Letter", indicating eligibility and placement on a waiting list within 10 calendar days from the date the application was filed.
- have their "CSFP Application Form" documented to indicate the date the notice was given or mailed to the applicant.

III. Waiting List Procedures

The food bank should notify the State agency when their LDA have implemented a waiting list in their area.

For the LDA to contact individuals on the waiting list (when slots are available) the waiting list should include the following:

- applicant's name
- an address and phone number for the applicant
- date of application

Waiting List Priorities

The following criteria will be used to select individuals for active participation when slots become available:

- application date (complete a recertification as required by policy)

The food bank maintains a database to track the participants being served by each LDA and can provide waiting list data upon request.

IV. Certification/Recertification Periods

Certification periods for the CSFP Program begin on the date of application and are established in accordance with the following time frames:

Elderly	<p>Elderly participants shall be certified at the time of entrance into the program and recertified annually. The recertification extension process shall be completed without a formal review of eligibility for an additional 12-month period, beginning 12 months following certification (using date of initial application) for a maximum of two 12-month periods for fixed income participants if the following conditions are met:</p> <ol style="list-style-type: none">The elderly person's address and continued interest in receiving continued benefits is verified.There is an adequate reason to believe that the elderly person still meets the income eligibility standards, which may include a determination that the participant has fixed income. <p>Recertifications will occur at a minimum of every year, a maximum of once every three years for fixed income participants based on the application date or most current recertification.</p>
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Certification periods cannot:

- * Extend beyond 36 months for CSFP households with **unearned** income only.
- * Extend beyond 12 months for CSFP households with **earned** income.

Recertification periods for the CSFP Program begin 12 months after the date of application and every 12 months thereafter for fixed income participants; however, certification periods may be extended by 12 months after initial certification up to a maximum of two (2) times for fixed income participants as allowed by policy. Participants with earned income must fully recertify every 12 months.

Each month, the food bank will provide each LDA with a “*Recertification/Extension Documentation Log*” that lists the name of all participants due for their annual recertification or 12-month certification extensions.

The LDA staff completes the recertification on the recertification form (file completed form in the case file) or the recertification extensions on the extension documents at the time the food packages are being issued or at the time designated by the LDA.

The Recertification/Extension Log is returned to the food bank along with all other required monthly reports.

V. Verification of Certification

If a CSFP participant moves from one county to another participating county during the certification period, the participant must obtain a “*Verification of Certification Form*” from the previous LDA’s county of service.

The new LDA’s county will accept the “*Verification of Certification Form*” as proof of eligibility for CSFP for the remaining months of the certification period.

The “*Verification of Certification Form*” includes the following information:

- Name of participant
- Participant’s new address
- Certification end date
- Indication of receiving at current LDA until slot opens (if a slot isn’t readily available)
- Original LDA name, phone #
- Active application date
- Original LDA contact person
- New LDA name, address, phone # and contact person

If a LD has evidence that a participant no longer resides in a participating county and is no longer eligible for CSFP benefits during the certification period, it must provide the participant with a written notification of discontinuance at least 15 calendar days before the effective date of discontinuance.

The “*Closure Notice Letter*” must include the following information:

- The effective date of discontinuance
- The reason for the discontinuance
- A statement of the individual's right to appeal and the fair hearing process and
- A statement that informs the applicant that program standards are applied without discrimination by race, color, national origin, age, sex, or disability.

VI. Notification Requirements

Each applicant and participant have the right to be notified of his/her rights and responsibilities in the CSFP program.

Take the following actions when providing adequate notice to applicants/participants in the program:

At the time the application is filed:

1. notify each applicant verbally and in writing of the right to file a fair hearing.
2. explain the “CSFP Participant Agreement Form” to each applicant. (Rights and responsibilities are included on this form)
3. have each applicant sign the “CSFP Participant Agreement Form”.
4. explain to each applicant that it is illegal to participate in two CSFP programs at the same time. (Info included on “CSFP Participant Agreement Form”)
5. explain that if a participant becomes ineligible at any time during the certification period, the participant will be notified in writing at least 10 calendar days prior to their termination with the reason(s) for ineligibility and the right to file a fair hearing.
6. closures will be effective on the first day of the month following the expiration of the 10-day notice response period.

At the time of recertification:

1. the LDA will notify each participant in writing at least 10 calendar days prior to expiration of the certification period that his/her eligibility for CSFP is about to expire. The “Recertification Notice Letter” will be provided the month before the last month of eligibility, informing each participant of this information.
2. explain to each participant how the food delivery system in the LDA service area operates.
3. explain to each participant the importance of:
 - participating in ongoing routine healthcare
 - the types of healthcare services available to low-income persons
 - where healthcare facilities are located, and
 - how individuals can obtain these services

Exception: *In cases where the individual requests their case, be closed or the LDA has confirmed the death of the participant, closures must become effective immediately to maximize the use of all available caseload slots.*

VII. Dual Participation

The food bank, LDA and State agency are responsible for detecting and preventing dual participation in the program.

1. Explain to applicants that it is illegal to participate in two CSFP programs at the same time or a WIC and a CSFP program at the same time.
2. Participants found committing dual participation will be terminated from one program location and will be notified of disqualification from the second program location.
3. The LDA will maintain a database of all CSFP participants and will routinely determine if individuals may be receiving food distribution from multiple CSFP distribution sites within their distribution area.
4. The LDA will forward their databases to the food bank quarterly. The food bank will then forward the database to the State agency. The State agency will routinely determine if individuals may be receiving food distribution from multiple CSFP distribution sites within the state.

VIII. Disqualification

Applicants and participants may be disqualified from program participation for a period up to one year if it is established that the applicant or participant fraudulently obtained or used program benefits.

Fair Hearing information shall be given to the participant at the time of the disqualification.

Disqualification Reasons include:

- making false statements orally or in writing to obtain benefits to which the individual would not otherwise be eligible.
- concealing information to obtain benefits for which the individual is not eligible.
- using supplemental foods in an unauthorized manner, such as trading or selling the food.
- physical abuse, or threat of physical abuse, or program staff; or
- committing dual participation.

Note: *If it is determined that a serious health risk will result from disqualification from the program and the participant is currently eligible, the disqualification maybe waived with the approval of the State agency.*

IX. Claims Procedures

If it is determined that a participant improperly receives or uses CSFP benefits by committing fraud, the State agency must pursue a claim against the participant.

After the LDA makes a fraud determination, the food bank must send a report to the State agency detailing the nature of the offense. At a minimum the report to the State agency must provide:

1. the name and address of the participant.
2. a description of the alleged fraudulent activity and any documentation available to substantiate the incident.
3. the value of benefits received by the participant fraudulently.

Upon receipt of the report from the food bank, the State agency will review the information provided and will direct the food bank to pursue collection if the State agency concurs with the LDAs assessment of the incident. If the State agency agrees that a claim is warranted, the State agency will:

- issue a letter demanding payment for the value of the commodities improperly received or used.
- take additional collection actions if repayment is not made in a timely manner. A claim for repayment will be initiated in all instances where the value of the commodities received improperly is \$50.00 or more. However, the State agency may initiate collection activity for claims valued less than \$50.00 if fraudulent incident was blatant in nature and collection can be accomplished in a cost-effective manner.

X. Nutrition Education

Nutrition education is a very integral part of CSFP. Nutrition education information will be provided to all CSFP participants to stress the relationship between proper nutrition and good health. The goal of CSFP in Georgia is to assist participants in achieving a positive change in food habits to prevent nutrition related health problems.

Nutrition Education Objectives

- To include age specific education materials in CSFP food packages to educate participants about general nutrition concepts and practical applications of food selection. **Method:** The food bank provides a nutrition handout/pamphlet in each food package distributed to CSFP participants monthly.
- To refer CSFP participants to local extension offices, which provide structured nutrition education classes specific to targeted age groups of the limited resource population. **Method:** The food bank provides a listing of county extension offices, contact information and class schedules if available. LDAs refers clients to these classes during certification interviews as necessary.
- Where feasible provide live cooking demonstrations and nutritional education classes to educate participants to prepare nutritional meals with the contents of their CSFP boxes. **Method:** The food bank enlists the assistance of professionals with expertise to provide nutrition education classes. This may include a registered dietitian, community nutritionist or a supervised paraprofessional. The paraprofessional will be supervised by an extension agent and will use approved nutrition curricula.

Nutrition Education Interview Requirements

The following nutrition topics covered at the time of certification by the LDA:

1. an explanation of the importance of the consumption of supplemental foods by the participant for whom they are prescribed rather than by other non-CSFP household members.
2. an explanation of the program as a supplemental rather than a total food program. Information on other nutrition assistance programs available in Georgia will be provided to eligible and non-eligible participants.
3. information on additional nutrition assistance resources.
4. availability of nutrition education classes.

The State agency will provide appropriate guidance to the food bank.

Evaluation

The GA DHS-DFCS annually evaluates the effectiveness of the CSFP nutrition education plan. The evaluation is accomplished by obtaining participant input, using questionnaires or “client surveys,” concerning the stated nutrition goals.

Food banks are required, during designated months, to disseminate after participant completion to collect and forward nutrition education surveys as directed by the State agency through the food bank liaison. The surveys are to be returned to the food bank at the designated time. The food bank will forward the surveys to the State agency.

XI. Referrals

- LDA certification staff will provide verbal information regarding SNAP and Medicaid programs to all applicants at initial application that are not currently on these programs. Certification staff will document the date information was provided on the certification form.
- Income eligibility charts will be provided by the State agency with income guidelines for these programs.

XII. Outreach

- The State agency and food bank will develop and provide printed info about the CSFP to LDAs for distribution in the communities they serve.
- The Emergency Food Assistance Program (TEFAP) participants who may be eligible for CSFP shall be informed about the program.

XIII. Fair Hearings

An individual may appeal an action which results in the denial or termination of benefits to the individual. The fair hearing process is the mechanism to protect the applicant/participant’s right to due process when an adverse action is taken. All hearings shall be conducted by the Office of State Administrative Hearings (OSAH).

The following fair hearing procedures shall apply to all individuals participating in the CSFP:

Time Frames for Requesting Fair Hearings

- Any person who has been denied or terminated from participation in the CSFP shall be informed in writing of the denial/termination and of his/her right to appeal. The request for hearing must be made within **60 days** from the date the

agency mails or gives the applicant/participant the notice of adverse action (AA) to deny or terminate benefits.

- A request for a fair hearing may be made in writing or verbally and is considered sufficient if it provides identification of the individual and action that has resulted in the request for an appeal.
- Participants who appeal the termination of benefits within 15 days of receiving the notice of AA shall continue to receive benefits until the hearing officer reaches a decision or until the end of the participants' certification period, whichever occurs first. Applicants who are denied benefits at initial application may appeal the denial but shall not receive benefits while awaiting the hearing.

Local Distributing Agency (LDA) Responsibilities

- Assist the applicant/recipient in completing and submitting the appeal if necessary.
- Review the proposed case action when a request for a fair hearing has been submitted to ensure the issue cannot be resolved without an appeal.
- Participate in a pre-hearing conference with the applicant/recipient and resolve the appealed issue if possible.
- Participate in the fair hearing, to ensure relevant testimony and evidence is presented.
- Ensure that appropriate action is taken timely to implement the final hearing decision.
- Within five days of receiving a fair hearing request, the LDA staff should submit to the Office of Administrative Hearings, an OSAH Form 1, a summary of LDA action taken on the case and documentation, including notices, supporting the case action.

Office of Administrative Hearings Responsibilities

- at least ten calendar days prior to the hearing, provide advance written notice to all responsible parties and representatives involved to permit adequate preparation of the case

- change the time and place of the hearing upon its own motion or for good cause shown by the participant
- adjourn, postpone, or reopen the hearing for receipt of additional information at any time prior to the mailing of the state's decision on the case
- conduct a single group hearing, consolidating cases where the sole issue involved is one of state and/or federal law, regulation or policy
- determine the number of persons who may attend the hearing
- deny or dismiss a hearing request

Hearing Procedures

- A hearing shall be scheduled within forty-five days of the request being received by OSAH. At least 10 calendar days advance written notice shall be provided to the individual or his representative specifying the time and place of the hearing. Hearings may be conducted via phone or face to face.
- The individual may be represented by an attorney or other person at the hearing.
- At the hearing, the individual shall be given an opportunity to present oral or documentary evidence and arguments supporting his/her position.
- The individual or his representative may request to examine all records supporting the adverse action at any time after the request for an appeal being submitted.
- The individual shall have an opportunity to question or refute any testimony or other evidence and to confront and cross-examine any adverse witnesses.
- The hearing shall be conducted, and the decision shall be made by a hearing officer who was not involved in the decision that resulted in the appeal.
- The individual or his/her representative shall be notified in writing of the hearing decision within 45 calendar days from the date of the hearing.

An official written record of the hearing shall be preserved by DHS for three years and available for examination during the period.

The record shall include:

- the decision under appeal,
- documentary evidence submitted,
- a summary of all testimony presented,
- the decision of the hearing officer, and
- a copy of the notification regarding the decision provided to the appellant by the hearing officer.

Dismissal of Hearing Requests

A request for a hearing shall not be denied or dismissed unless:

- the request is not received within the time limit set by the State agency.
- the request is withdrawn in writing by the applicant or representative.
- the applicant or representative fails without good cause to appear at the hearing.

XIV. Storage and Distribution

Currently all USDA commodities are shipped from a USDA warehouse directly to the state's contracted CSFP food banks. The food banks are responsible for the proper unloading, receipting and storage of all commodities received. The CSFP commodity boxes are pre-packaged at the state's contracted CSFP food banks and delivered to their local distributing agencies for monthly distribution.

The local distributing agency must distribute a package of commodities to participants each month. The agency will require the local agency staff, volunteers, or third-party contractors who distribute the USDA Food boxes to check a form of identification of a participant or their proxy once annually and then allow visual identification or self-attestation as identity confirmation at future USDA food distributions. A signature can be collected at distribution but is not mandatory.

XV. Food Complaints

The GA DHS will be responsible for ensuring that all complaints regarding supplemental foods are resolved appropriately.

The following steps will be taken:

- upon the receipt of any complaint regarding supplemental food, the LDA shall document the date complaint received, participant's name, address and the nature of the complaint on a "Supplemental Food Complaint Form" or other document approved by the State agency.
- the LDA will forward a copy of the complaint to the food bank who will notify the State agency no later than the next business day for follow-up investigation.
- State agency CSFP staff will initiate contact with the participant to determine the validity and seriousness of the complaint.
- if the complaint is not of a serious nature, the State agency will coordinate with the food bank, the LDA and participant to resolve the complaint.
- any complaints deemed to be of a serious nature will be forwarded to USDA FNS SERO within 10 days for further investigation and a final disposition.

XVI. Food Loss

The State agency must act to satisfy claims that result from commodity food losses due to theft, spoilage, damage, etc. within 30 days.

When a loss of food occurs after delivery to the CSFP contracted food bank, a claim determination must be made. If the value of the food loss is more than \$500.00 but does not exceed \$2500.00, the State agency will make a loss claim determination. If the value of the lost food exceeds \$2500.00, documentation must be forwarded to the USDA Regional Office for concurrence with a claim determination by GADHS.

All instances of lost commodities must immediately be reported to the state CSFP Coordinator upon discovery of the loss. This reporting requirement does require the submission of a written Commodity Food Loss Report.

USDA considers all losses attributed to inadequate temperature control to be caused by negligence and subject to a claim. When such a loss occurs, the burden of proof is on

the food bank to validate that the failure to maintain proper temperature control was not due to its negligence.

No claim determination is required where the value of the lost food is \$100 or less except in cases where there is evidence of theft, fraud, or continued negligence. Documentation of losses must be recorded on FNS Form 153.

This plan has been approved by the State agency official responsible for the CSFP program administration.

Print name: Pamela Mack, Food and Nutrition Director

Signature: 

Date: 12/26/2024