



Food and
Nutrition
Service

Park Office
Center

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DATE: May 5, 2016
POLICY NO: FD-099: Commodity Supplemental Food Program (CSFP)
SUBJECT: Questions and Answers about Waiting Lists, and Available Flexibilities in Caseload Management (Revised)

Many States have lost caseload in recent years by underusing caseload they were authorized to serve. This memorandum provides further clarification and guidance on policies and procedures regarding CSFP waiting lists and caseload management, and replaces the previous FD-099, dated January 6, 2010. Relevant information regarding caseload management may be found in the CSFP regulations at 7 CFR 247.21 and other sections as noted in the questions and answers below.

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. For example, consistent with 7 CFR 247.11, 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. 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. Certification of individuals 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 an 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 an individual who has remained on the waiting list for greater than six months, the local agency must perform a full certification before providing that individual with benefits. This ensures program integrity.

3. What is the minimum period by which an eligible individual can be certified to participate in the program? May the State agency permit a

certification period of one month?

Participants must receive at least one month's worth of supplemental foods per CSFP regulations at 7 CFR 247.10 and applicable guide rates; therefore, the minimum participant certification period is one month.

As a background, the maximum participant certification periods are provided at 7 CFR 247.16. In general, certification periods may be up to six months in length. Elderly certification periods may be extended if certain conditions are met (please reference 7 CFR 247.16(a)(2)). However, 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.

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.

4. 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 with 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. By proactively and frequently communicating with CSFP participants in a positive manner, local agencies can provide clear expectations to such participants, address challenges with food package pickup or home delivery, prevent customer service complaints, and ultimately help ensure full caseload use.

5. Should local agencies, to the extent feasible, distribute CSFP food packages early in the month?

Yes. Distributing food packages early in the month allows local agencies additional time to make alternate arrangements if a participant is unable to make a scheduled distribution, or unforeseen circumstances (e.g., hazardous weather) prevent the local agency from distributing CSFP food packages.

In cases where a participant cannot get to a distribution center on the scheduled distribution date, State and local agencies should review current policies and procedures to ensure, to the greatest extent possible, continued service to such participants. 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 the individual another chance to obtain CSFP benefits by providing an alternate pickup or delivery date and time if available. The local agency may also choose to certify an eligible individual from the waiting list to ensure full caseload use.

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 caretaker of the participant, to obtain supplemental foods on behalf of the participant. 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 caretaker.

7. Is there a limit to the number of proxies a participant can designate or the number of participants to which a proxy can be assigned?

No. A participant can designate as many proxies as needed to ensure his or her food package is picked up each month. A designated proxy can also serve as the proxy for more than one participant. State agencies that choose to permit the use of multiple proxies must require local agencies to implement procedures to detect and prevent fraud. Conversely, a State agency may choose to limit the number of proxies that can be used by a participant to prevent fraud, as well as undue administrative burden on its local agencies.

8. Must State agencies proactively monitor program participation and caseload use?

Yes. Please reference 7 CFR 247.21 for the regulatory requirements regarding caseload assignments, particularly how caseload is determined for each State. Within available national resources, each State's caseload is determined primarily by the State's performance in using caseload in the prior year. Each caseload slot represents the State's authority to serve a monthly CSFP food package to an individual in need for a year. Each CSFP State is expected to be proactive in working with its local agencies to achieve full caseload use early in the year.

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 should use electronic means, such as commonly available off-the-shelf spreadsheet software (e.g., Microsoft Excel), to proactively and promptly identify and address caseload usage issues.

9. 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. Please reference the answer to Question Number 3 for further details.

Having a waiting list of eligible seniors ready to go on the date of a distribution can help account for no-shows. Local agencies can identify individuals who may be eligible to participate in the program through existing connections at partnering agencies, senior housing communities, and other sites that primarily cater to low-income seniors. Waiting lists allow local agencies to more effectively maintain a caseload usage rate closer to 100 percent on an average monthly basis.

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

Yes. State agencies may adjust their local agencies' caseload and administrative funding allocations periodically, based on 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. For example, a State agency may choose to issue CSFP administrative funding on a quarterly basis, rather than for the full fiscal year, based on each local agency's caseload assignment for that quarter. This allows the State agency to reassess each local agency's performance on a quarterly basis and reassign caseload slots, as needed, within the State's total allotment. This is an acceptable practice and may

provide an incentive for local agencies to manage their 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).

/s/ Original Signature on File

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