Date: April 29, 2010          Reference: # CSFP 2010-05
To: Commodity Supplemental Food Program (CSFP) Contractors
Subject: Questions and Answers about Waiting Lists and Caseload Management
Effective Date: Immediately

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<tr>
<th>Purpose</th>
<th>NOTIFY contractors of policies and procedures regarding waiting lists and caseload management. ADD Item 12300, Questions and Answers about Waiting Lists and Caseload Management</th>
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<td>Implementation</td>
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<td>Background</td>
<td>The U.S. Department of Agriculture (USDA) issued a Policy Memorandum to answer questions about waiting lists and categorical eligibility; referrals to the Special Supplemental Nutrition Program for Women, Infants and Children (WIC); proxies; program participation; and caseload adjustments.</td>
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| Procedure     | Add the following to your handbook: 12300, Questions and Answers about Waiting Lists and Caseload Management  
Question 1. Must a local agency prioritize applicants on a waiting list in any particular order? Answer: 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. |

This Policy Remains in Effect Until Further Notice
Question 2. Should local agencies refer eligible women, infants, and children to the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)?

Answer: 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 Texas does 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.

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

Answer: No. However, TDA 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 TDA 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.

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

Answer: 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.

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In order to fully use caseload and serve as many food packages as authorized, TDA 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 participant will be returned to the same position on the waiting list prior to the one-month certification. 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, TDA can maximize caseload use each month.

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

**Answer:** 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.

**Question 6. May TDA permit the use of proxies during certification and recertification, as well as food package distributions?**

**Answer:** 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.

TDA chooses to permit the use of proxies so must require local agencies to implement procedures that deter fraud. At minimum, TDA requires 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

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c. Review proxy identification prior to each certification, recertification, and food package distribution.

TDA 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.

**Question 7. Must TDA proactively monitor program participation and caseload usage rates?**

Answer: Yes. TDA proactively monitors participation and caseload usage rates on a monthly basis, and ensure that participation does not exceed assigned caseload on an average monthly basis. Contractors provide caseload usage rates. TDA keeps contractors informed about caseload usage to ensure contractors meet the base caseload level for the year. 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, TDA uses 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.

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

Answer: Yes. In Texas, after a participant misses two 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. TDA also permits 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.

**Question 9. Is TDA permitted to adjust local agencies' caseloads based on past performance?**

Answer: 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 TDA communicates its expectations up front, preferably in a written agreement between TDA and the local agency. This is an acceptable practice, because it provides an incentive for local agencies to manage caseloads effectively. However, TDA 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).
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<td>Contact</td>
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