

## **Kentucky**

### **Commodity Supplemental Food Program**

#### **State Plan of Program Operation and Administration**

This document represents our plan for the administration of the Commodity Supplemental Food Program in Kentucky. The purpose of the State Plan of Operation is to document the procedures that shall be used in the certification of eligible individuals for supplemental foods and the procedures for distributing food to participants.

#### **A. STATE AGENCY IDENTIFICATION AND AUTHORITY**

1. Identification:

Name of Agency:  
Kentucky Department of Agriculture, Division of Food Distribution

2. Mailing Address:

107 Corporate Drive  
Frankfort, Kentucky 40601

#### **B. AUTHORITY**

Pursuant to KRS 246.055 and by agreement with the United States Department of Agriculture (USDA), the Commodity Supplemental Food Program (CSFP) shall be administered by the State Agency.

#### **C. STATE PLAN OBJECTIVES AND PURPOSE**

1. The purpose of the State Plan of Operation is to document the procedures that shall be used to provide supplemental foods and nutrition education to eligible persons by the State and Local Agencies. Eligible persons include women, infants, children, and elderly persons in low-income groups.
2. The State Plan of Operation is required by the USDA, Food and Nutrition Service (FNS), Regulation 7 CFR Part 247 and must be submitted to FNS for approval. Once submitted and approved, the State Plan is considered permanent, with amendments submitted at the State agency's initiative, or at FNS request. All amendments are subject to FNS approval.
3. The State Plan of Operation records the procedures that shall be used for the prevention and detection of dual participation between the CSFP and the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) in those areas where both programs are operated.

4. The State Plan of Operation shall be the basis for program operations and shall be used to monitor State and Local Agency performance. The State Agency shall enter into written agreements with Local Agencies which shall assure that the Local Agencies shall comply with program rules and regulations as outlined in 7 CFR Part 247. Local Agencies shall sign written agreements approved by the State Agency with Local Certification/Distributing Agencies (LDAs) that provides assurances that LDA's shall also operate the program in accordance with 7 CFR Part 247.

#### **D. AGENCY IDENTIFICATION**

The following Local Agencies have signed an agreement with the State Agency to operate the Commodity Supplemental Food Program:

Dare to Care Food Bank  
5803 Fern Valley Road  
Louisville, Kentucky 40228

God's Pantry Food Bank  
1685 Jaggie Fox Way  
Lexington, Kentucky 40511

Second Harvest of Kentucky's Heartland  
313 Peterson Drive  
Elizabethtown, Kentucky 42701

Purchase Area Development District  
1213 Fulton Road  
Mayfield, Kentucky 42066

Northern Kentucky Area Development District  
One Sperti Drive  
Edgewood, Kentucky 41017

Commodity Supplemental Food Program\*  
1616 Rowan Street  
Louisville, Kentucky 40203  
\*State Operated Facility

1. Certification and Food Distribution Sites: Each Local Agency shall provide storage for all food under its jurisdiction. Food shall be delivered to certification/distribution sites monthly.
2. Application Process for Local Agencies: Public or private non-profit agencies wishing to operate the CSFP shall be approved by the State Agency and enter into an agreement with the State Agency. The following procedures shall be utilized for Local Agency applications to initiate or expand program operation:

- a. A written application shall be submitted to the State Agency providing sufficient information for a determination of eligibility to be made by the State Agency
- b. The State Agency shall notify the agency in writing of the approval or denial of its application within thirty (30) days. In cases where the application has been denied, the Local Agency shall be informed of the reason(s) for denial. The Local Agency shall also be advised regarding their right to appeal the State Agency's decision.
- c. An agency approved for program initiation or expansion shall be notified within thirty (30) days. If there are no administrative funds available for the program, the State Agency shall notify the agency when funds become available.
- d. If a local agency is approved to operate the CSFP in an area being served by the WIC Program, the State Agency shall maintain documentation justifying the need for two programs in the same area.

## **E. CERTIFICATION**

1. Eligibility Requirements: To be certified as eligible to receive supplemental foods each applicant must meet one of the following criteria:
  - a. Categorically eligible as an infant, child one (1) to (6) six years of age, pregnant, postpartum non-breastfeeding, breastfeeding woman, or elderly;
  - b. Women, infants, and children who are categorically eligible and not participating in the WIC Program are eligible for consideration and participation in the CSFP. These individuals shall meet the income criteria of One Hundred Eighty-Five percent (185%) of the annually published Federal Poverty Income Guidelines.
  - c. Elderly individuals certified on or after September 17, 1986, shall be sixty (60) years old or older with household income at or below One Hundred Thirty percent (130%) of the annually published federal poverty income guideline. Elderly individuals certified prior to September 17, 1986, shall be subject to the terms and conditions in effect on the date of their certification; or
  - d. Income eligibility determinations shall be based on the gross monthly household income of the family unit. The family unit is defined as a group of related or non-related individuals who share all the significant income and expenses of its members.
    - (1) Monthly income is defined as gross income before required or voluntary deductions.
    - (2) Eligibility determinations shall be made based on income received by the household during the month prior to application. If income received during the month prior to application is not representative of current income, the certification staff may consider income received for a longer period of time to more accurately determine current income.

- (3) Determination of Monthly Income:
  - (a) Weekly income times 4.33.
  - (b) Biweekly income [every two- (2) weeks] times 2.15.
  - (c) Semi-monthly (twice a month) times 2.
- 2. There shall not be any nutritional risk requirement imposed.
- 3. Applicants shall reside in a county served by the local agency to which the request for benefits is made. No fixed residency or duration requirement shall be imposed as a condition for eligibility.
- 4. Certification site staff shall verify and document the income, identification, age, and residency of participants prior to certification. Sources of verification include, but are not limited to:
  - a. Driver's License or other state-issued identification card;
  - b. Birth certificate;
  - c. Medicare card;
  - d. Check stubs or statement from employer verifying wages;
  - e. Award letter or other official document, verifying participation in a federal, state, or local program for low-income persons.

## **F. COMMODITY SUPPLEMENTAL FOOD PROGRAM**

- 1. Processing Standards: If the maximum caseload has not been reached, applications for program benefits shall be processed within specific time frames. If there are no funds available to provide benefits to all eligible applicants, a waiting list shall be established. The processing standards are as follows:
  - a. Notify applicants of their eligibility or ineligibility for CSFP benefits, or their placement on a waiting list within ten days from the date of application. The ten (10) day time limit does not apply to telephone inquiries concerning program participation.
  - b. A person determined eligible shall receive supplemental foods on the next scheduled distribution date at agency where client was certified or placed on the waiting list if applicable.
- 2. Caseload Management: The State Agency will maintain the caseload as assigned by Food Nutrition Services for WIC eligible and elderly participants during this program year. The caseload shall be assigned by county and clients shall be served on a first-come, first-served basis. Priority shall be given to women, infants, and children applicants.

The State Agency shall monitor participation through the use of the FNS-153 Form and a CSFP database designed to track program participation. The maximum approved caseload shall not be exceeded.

3. Identification of Elderly Population:

- a. Current United States Census Bureau Data will be used to determine number of individuals sixty (60) years of age or older living in the counties to be served by the CSFP in Kentucky and to determine approximate number of individuals that have income at or below One Hundred Thirty percent (130%) of the federal poverty income guideline.
  - b. The State Agency has established communications with the State Bureau of Senior Services and Area Council on Aging Offices and shall utilize these and other community groups to identify homebound elderly. Local Agencies who have signed an agreement with the State Agency shall also seek to identify homebound elderly individuals who may be eligible for program benefits. Program materials regarding the CSFP shall be distributed to these groups, as well as churches, civic organizations, etc., to distribute to homebound elderly individuals.
  - c. Homebound elderly are defined as persons who are, in the judgment of the Local Agency, unable to obtain monthly food packages without assistance provided by or through the Local Agency.
- (1) Homebound elderly persons shall be certified by the LDA Certification staff or other volunteers providing services to these individuals. Volunteers shall collect eligibility data; however, certification shall be accomplished by LDA Certification staff.

During the certification process volunteer staff shall explain to homebound elderly participants how the CSFP operates as well as their rights and responsibilities as a participant of the program. Homebound elderly participants shall be provided with the name of the LDA site responsible for issuing their food package and the name of a contact person to be called for assistance.

- (2) LDA Certification staff shall deliver food to homebound elderly participants each month. Homebound elderly participants shall sign the Issuance Register acknowledging receipt of food packages.
- (3) State Agency staff shall provide training to Local Agency staff and volunteers prior to program implementation regarding the responsibilities involved in serving homebound participants. Ongoing training shall be provided as needed by State Agency to assist Local Agencies in training new volunteer staff. This training shall consist of, at a minimum:
  - (a) Eligibility determination process;
  - (b) Documentation requirements;

- (c) Civil rights; and
  - (d) Food issuance procedures.
4. Outreach: The following activities shall be employed by the State Agency in conjunction with Local Agencies to raise public awareness about the CSFP in order to attain the maximum allowed caseload:
- (a) Brochures and flyers providing information about the program shall be developed and disseminated to senior congregate meal sites, faith based organizations, civic organizations, and other community groups.
  - (b) The State Agency also administers The Emergency Food Assistance Program (TEFAP). TEFAP participants who may be eligible for CSFP shall be informed about the program and referred to the Local Agencies for program benefits.
  - (c) Coordinate efforts with WIC State Agency to advise WIC participants about the CSFP program to provide information regarding how and where to apply for program benefits. Information has been compiled by WIC identifying participation by county.
  - (d) Newspaper articles, radio and television announcements may be utilized by State and Local Agencies, if necessary, to inform the public of CSFP services and how to apply.
5. Priority Waiting List:
- (a) When the maximum caseload has been achieved, any person who cannot be served due to limits in funding shall have their name placed on a waiting list. Local Agencies shall notify the State Agency of the implementation of priority waiting list procedures. Individuals shall be notified in writing of their placement on the waiting list within ten (10) days of the date of application for program benefits. To enable the local agency to contact individuals on the waiting list when caseload space becomes available, the waiting list shall include the following information:
    - (1) Applicant's name;
    - (2) Date placed on waiting list;
    - (3) Address and phone number of the applicant; and
    - (4) Applicant's status, i.e., pregnant, breastfeeding, age of child, etc.
  - (b) If a priority waiting list is implemented, the following designated priority shall be assigned to participants, according to category:
    - (1) Priority 1 - Pregnant women, breastfeeding women, and infants;
    - (2) Priority 2 - Children one (1) through three (3) years of age;

- (3) Priority 3 - Children four (4) through five (5) years of age;
- (4) Priority 4 - Postpartum women; and
- (5) Priority 5 - Elderly persons.

The Local Agency shall make every effort to ensure that the neediest applicants are provided CSFP benefits. Income shall be used as a subcategory within the priority system to ensure that lower income applicants are served first when slots become available

6. Certification Forms:

- a. Certification of applicants shall be accomplished after an application for benefits has been filed and a determination of eligibility has been made using the State Agency approved document which contains all family household information. This document shall also serve as the prescription document for issuance. This document is available online at the Food Distribution web site, [www.kyagr.com](http://www.kyagr.com).
- b. Certification data for each applicant shall be recorded on the CSFP Application/Certification Form which shall include the following:
  - (1) Applicant's name and address;
  - (2) The date of initial visit to apply for participation and the date of certification,
  - (3) The criteria used to determine the person's eligibility and the signature and title of the person making the eligibility determination
- c. The following statement shall be located directly above the applicant's signature line and shall be read by or to the applicant or the applicant's parent or caretaker before the application is signed:

**"This certification form is being completed in connection with the receipt of federal assistance. Program officials may verify information on this form. I am aware that deliberate misrepresentations may subject me to prosecution under applicable state and federal statutes. I have been advised of my rights and obligations under the Program. I certify that the information I have provided for my eligibility determination is correct to the best of my knowledge."**

- 7. Applicant's Rights: The following paragraphs shall be read by or read to the applicant or the applicants' parent or caretaker at the time of certification. Where a significant proportion of the population served by a Local Agency is composed of non-English or limited English speaking persons who speak the same language, the sentences shall be stated to such persons in a language they understand:
  - a. **"In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color,**

**national origin, sex, age, or disability. "To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (800) 795-3272 or (202) 720-6382 (TTY). USDA is an equal opportunity provider and employer."**

- b. **"You may appeal any decision made by the Local Agency regarding your written denial or termination from the program."**
  - c. **"If your application is approved, the Local Agency will make nutrition education available to you and you are encouraged to participate."**
8. Notification Requirements: Each applicant and participant has the right to be properly notified of their program rights and responsibilities. The Local Agency shall perform the following:
- a. Each applicant shall be informed verbally and in writing, during the certification procedure, of the right to a fair hearing.
  - b. Each applicant shall be informed verbally and in writing, during the certification procedure, of the illegality of participating simultaneously in two CSFP programs or in a CSFP program and in the WIC program.
  - c. A person found ineligible for the program at any time during the certification period shall be advised in writing at least fifteen (15) calendar days prior to termination of eligibility of the reasons for ineligibility and of the right to a fair hearing.
  - d. Each participant shall be notified in writing at least fifteen (15) days prior to the expiration of the certification period that eligibility for the program is about to expire.
  - e. Each participant shall receive an explanation of how the food delivery system in the Local Agency operates. This may be accomplished verbally by the LDA staff.
  - f. Each participant shall be advised of the importance of participating in ongoing routine health care, the types of health care services available to low income persons, the locations of the health care facilities, and how individuals can obtain these services. This may be accomplished by the LDA through issuance of printed materials and verbal instructions and directions from the staff.
9. Certification Periods: Program benefits shall be based upon certifications established in accordance with the following time frames:
- a. Eligible pregnant women shall be certified for the duration of their pregnancy and for six (6) weeks postpartum.
  - b. Eligible postpartum and breast-feeding women shall be certified at intervals not to exceed six (6) months. Eligible postpartum and breast-feeding women are eligible for benefits through the month her infant turns one (1) year of age.

- c. Infants shall be certified at the time of entrance into the program and at six (6) month intervals. Category and priority changes shall take place at one (1) year of age.
- d. Children shall be certified at the time of their entrance into the program and at six (6) month intervals. Program benefits may be continued through the month the child turns six (6) years of age.
- e. Elderly participants shall be certified at the time of entrance into the program and at six (6) month intervals. However, the State agency may authorize local agencies to extend the certification period without a formal review of eligibility for additional 6-month periods, as long as the following conditions are met:
  - (1) The person's address and continued interest in receiving program benefits are verified.
  - (2) The local agency has sufficient reason to believe that the person still meets the income eligibility standards (*e.g.*, the elderly person has a fixed income).
  - (3) No eligible women, infants, or children are waiting to be served.

10. Verification of Certification

- a. The LDA shall issue a Verification of Certification Form, to CSFP participants who intend to relocate during the certification period and wish to continue participation in the program. The Local Agency shall also accept Verification of Certification forms from participants who have been participating in the program. If the Local Agency has a waiting list for participation, the transferring participant shall be placed on the list ahead of all waiting applicants.
- b. The Verification of Certification is valid until the certification period expires, and shall be accepted as proof of eligibility for program benefits.
- c. The Verification of Certification shall include the following information:
  - (1) Name of participant;
  - (2) The date the certification;
  - (3) The date the certification will expire; or
  - (4) The signature of the Local Agency Official who issued the form, the name and address of the agency and the identification number for the participant.

11. Dual Participation: State Agency and Local Agency staff shall be responsible for the detection and prevention of dual participation in the program.

- a. As a part of the certification process, applicants shall be informed of the illegality of

simultaneously participating in the WIC Program and CSFP and of simultaneous participation in more than one CSFP.

- b. The State CSFP and WIC agencies have signed a Memorandum of Understanding for the prevention and detection of dual participation. Detection and prevention of dual participation shall be accomplished through the exchange of program participation data in counties where both CSFP and WIC are operated.
- c. The CSFP State Agency staff shall provide the WIC State Agency staff a printout or computer file of WIC program participants in the counties where both WIC and CSFP are operated on a monthly basis. This printout shall provide the First name, middle initial, last name, date of birth, gender, race, complete address, telephone number(s), and distribution data of participants.
- d. State WIC staff shall review the CSFP-WIC participant listing each month and compare participants to detect individuals who may be receiving benefits from both programs. WIC shall notify the State Agency of any matches found and the State Agency shall notify the Local Agency certification site, where the individual was certified and receives food distribution, for further action.
- e. Participants found committing dual participation shall be terminated from CSFP immediately and shall be notified of disqualification by CSFP.

## 12. Disqualification:

- a. The State Agency may disqualify applicants and participants from program participation for a period not to exceed three (3) months if it is established that the applicant, participant, parent, or caretaker fraudulently obtained or used program benefits. Fair hearing information shall be given to the participant at the time of disqualification. Reasons for disqualification may include the following:
  - (1) Making false statements orally or in writing in order to obtain benefits to which the individual would not otherwise be eligible;
  - (2) Concealing information in order to obtain benefits for which the individual is not eligible;
  - (3) Altering a Verification of Certification Form;
  - (4) Using supplemental foods in an unauthorized manner, such as trading or selling the food; or
  - (5) Dual participation.
- b. If it is determined that a serious health risk will result from disqualification from the program and the participant is currently eligible, the disqualification shall be waived.

## 13. Program Referrals

- a. The LDA staff shall provide written information regarding the Food Stamp Program, TANF Program, Child Support Enforcement Program, and the Medicaid Program to all women, infants, and children applicants/participants during the initial certification process. The certification staff shall document the date information was provided on the certification form when eligibility for program benefits is determined.
- b. The State Agency shall provide Local Agencies with Income Eligibility Guidelines showing the maximum income limits for the Medicaid Program, according to family size, applicable to pregnant women, infants, and children up to the age six (6). This information shall be provided annually.
- c. All women, infants, and children applicants/participants who are interested in receiving benefits from the Medicaid Program shall be directed to the local Medicaid office.
- d. Each elderly applicant/participant shall be provided written information regarding the Food Stamp Program, Supplemental Security Income Program, and the Medicaid Program, including medical assistance, provided to qualified Medicare beneficiaries at the time of the initial certification. The certification staff shall document the date information was provided on the certification form when eligibility for program benefits is determined.

## **G. NUTRITION EDUCATION**

The Kentucky Department of Agriculture shall ensure that nutrition education is available to all eligible persons at the Louisville CSFP site in each phase of the life cycle to include pregnancy, infancy, childhood and mature adulthood. The Local Agency shall insure that nutrition education is available to all eligible persons in their distributing area in each phase of the life cycle to include pregnancy, childhood and mature adulthood. The Local Agency shall be responsible for meeting all objectives outlined in the state plan using the designated methods of operation.

### **1. Goals**

- a. To emphasize the relationship of proper nutrition as an integral part of good health.
- b. To assist CSFP participants in making a positive change in food habits, resulting in an improved nutritional status through maximum use of supplemental and other nutritious foods.

### **2. Objectives**

- a. Include age specific educational materials, such as handouts and pamphlets, in coinciding CSFP food packages to educate participants about general nutrition concepts and practical applications of food selection.
- b. Establish nutrition education display areas that offer additional nutrition education materials and resources at each certification site.
- c. Refer participants to local extension offices which will provide structured nutrition

education classes specific to targeted age groups and the limited income population.

- d. Educate Local Agency administrators on the importance of good nutrition in order to reinforce messages provided to the target population.

The following nutrition topics shall be covered at the time of certification by the Local Agency:

- a. An explanation of the importance of consumption of the supplemental foods by the participant for whom they are prescribed rather than by other family members;
- b. An explanation of the program as a supplemental rather than a total food program;
- c. Information on additional nutrition assistance resources;
- d. Information on the use of supplemental foods and on nutritional value of foods;
- e. Information on the benefits of breastfeeding; and
- f. An explanation of the importance of healthcare.

### 3. Methods

In order for CSFP to provide both immediate and long-term improvement in the health status of participants, the Local Agency shall make nutrition education available as outlined below. This nutrition education shall be thoroughly integrated into program operations and shall have the dual purpose of (1) ensuring that the CSFP foods are used properly, and (2) providing knowledge that encourages habitual selection and consumption of nutritious foods necessary for optimal health.

The Local Agency shall agree to implement a plan of action including the following categories for ensuring that the nutrition objectives and goals of the Kentucky CSFP are met:

- 1 Include age specific education materials in coinciding CSFP food packages to educate participants about general nutrition concepts and practical applications of food selection.
- 2 Establish nutrition education display areas that offer additional nutrition education materials and resources at each Local Agency.
- 3 Refer CSFP participants to local extension offices which provide structured nutrition education classes specific to targeted age groups of the limited resource population.
4. Educate Local Agency administrators on the importance of good nutrition to reinforce messages provided to target population.
- 5 The following nutrition topics shall be covered at the time of certification by the Local Agency:

- a. An explanation of the importance of consumption of the supplemental foods by the participant for whom they are prescribed rather than by other family members;
  - b. An explanation of the Program as a supplemental program rather than a total food program. Information on other nutrition assistance programs available in Kentucky shall be provided to eligible and non-eligible participants;
  - c. Information on additional nutrition assistance resources; and
  - d. Nutrition education classes.
4. Nutrition Education Reviews: The State Agency shall review the Local Agency for compliance with the nutrition education plan during the annual Agency Review process.

## **H. FOOD DELIVERY SYSTEM**

USDA-donated foods for the CSFP program shall be received and stored by the Local Agencies identified in Section D.

All Agencies shall separate CSFP commodities from other food stored at their facilities. Each Local Agency shall receive commodities directly from USDA or the State Agency in sufficient quantities for distribution in the counties under their jurisdiction.

1. Ordering, Shipping and Delivery Procedures: The State Agency shall order commodities as directed by USDA. Using "Food Requisition for Direct Shipments" Form FNS-52, "Food Requisition for Multi-Food" Form FNS-53, or by the use of other USDA-approved systems, such as ECOS. Commodities shall be ordered as Multi-Food ("Mixed Load") shipments or Direct Shipment ("Full Truckloads of one Item"). Direct Shipment orders shall be submitted as directed by USDA (approximately five (5) months in advance of the indicated quarter) and Multi-Food orders shall be submitted as directed (approximately two (2) months prior to the month of distribution).

Each Local Agency's food estimate for the quarter shall be computed based on the average caseload levels by category during the previous quarter and anticipated growth if the maximum caseload has not been achieved. The amount of food ordered shall also take into account food that is "on hand" at the Local Agency as well as "food in transit." Inventory levels shall be maintained with a two (2) month carry-over at all times. The Local Agency shall provide input to the State Agency regarding the types and quantities of commodities that should be ordered during a given quarter.

Deliveries shall be made directly to Local Agency warehouses from USDA vendors. USDA shall pay the cost of shipping to Local Agencies. Bulk food orders sufficient for monthly food packages may be delivered to Local Agency Certification/Distribution sites by truck or will be picked up from Local Agency warehouse by Certification/Distribution Agency staff for distribution to participants. Local Agencies may also assemble monthly food packages. Local Agencies shall absorb the cost of transporting food packages to LDA sites.

2. Food Distribution Procedures: The Local Distributing Agency shall issue supplemental food

packages to participants monthly. Each participant shall receive a one (1) month supply of food based on the maximum monthly distribution rates. Participants shall receive a food package each month at the LDA site where they were certified. Homebound elderly may designate a proxy to pick up their food and the staff person issuing the food shall verify the identification of the proxy. If no proxy is designated the Local Distributing Agencies shall deliver food packages to homebound elderly.

All recipients of food (including proxies) shall present identification and acknowledge receipt of supplemental foods by signing a Supplemental Food Issuance Register or other Local Agency documents approved by the State Agency documenting receipt of food for the issuance month. All Food Issuance Registers shall be kept on file for inspection by the State Agency during annual reviews.

3. Inventory Accountability: Local Agency staff shall be responsible for maintaining a system that shall ensure the proper handling, storage, and distribution of supplemental foods.
  - a. Local Agencies shall conduct an inventory in order to document distributions occurring during the month and report month-end inventory levels on an FNS-153 form to State Agency CSFP staff by the tenth (10th) of each month.
  - b. Local Agencies shall report all situations of damages or losses to the State Agency within three to ten (3-10) days after a loss occurs. All food losses and damages shall also be documented and tallied in the Food Loss column of an FNS 153 Report form with an explanation of the food losses. Book inventory adjustments to physical inventory counts shall be shown in the positive and negative columns of the FNS 153 form.
  - c. Local Agencies shall ensure that all food packages distributed to LDA sites are accounted for each month. Each LDA site shall submit a monthly report to the Local Agency by the fifth (5th) of each month to document distributions occurring during the previous month.

## **I. STATE PLANNING**

The State Agency shall meet periodically with Local Agencies operating the program to discuss issues regarding program operations and to identify and evaluate suggestions for improvement.

The State Agency and Local Agencies shall seek input from program participants through the use of questionnaires, telephone conversations, and interviews.

## **J. STATE AGENCY AUDITS**

The Kentucky Department of Agriculture, Division of Food Distribution, is audited by the State Auditor's Office using requirements for financial and compliance audits as established by the OMB Circular Number A-133. The scope of the audit includes detailed audits of receipts and expenditures to assure compliance with state and federal accounting principles and regulations. All USDA-FNS programs operated by the State Agency are included in the universe of federal awards from which an audit sample is taken. The State Auditor's Office is an independent

department of state government and is completely independent of the Kentucky Department of Agriculture.

Local Agency Audits: All Local Agencies operating the program shall be audited annually in accordance with the Single Audit Act and OMB Circular A-133. Local Agencies shall supply the State Agency a copy of such audit, data collection form, any management form associated with the audit, and a corrective action plan within thirty (30) calendar days of the receipt of the audit report but no later than nine (9) months following the end of the Local Agency's fiscal year.

The State Agency staff shall review all audits and take appropriate follow-up action on all Local Agency audits. A complete copy of the audit shall be on file with the State Agency for review by USDA.

## **K. COMPLAINTS**

The State Agency shall be responsible for ensuring that all complaints regarding supplemental foods are resolved appropriately. The following steps shall be taken:

- a. Upon receipt of any complaint regarding supplemental food, the Local Agency shall document the date complaint was received, participant's name, address, and the nature of the complaint.
- b. The Local Agency shall forward a copy of the complaint to the State Agency immediately for a follow-up investigation.
- c. The State Agency staff assigned to the CSFP shall initiate contact with the participant to determine the validity and seriousness of the complaint.
- d. If the complaint is not of a serious nature, the State Agency shall work with the Local Agency and participant to resolve the complaint.
- e. Any complaints deemed to be of a serious nature shall be forwarded to the United States Department of Agriculture - Food and Nutrition Service, Southeast Regional Office within ten (10) days for further investigation and a final disposition.

## **L. CLAIMS**

The State Agency has established the following claim procedures regarding foods received or used by a participant through fraud:

- a. The Local Agency will issue a letter to the participant indicating that they are ineligible for participation in the CSFP program for a period of up to one year, in accordance with the requirements of §247.20(b).
- b. A letter demanding repayment for the value of the commodities improperly received or used will be pursued in instances when the dollar value is determined to be over \$100. Payment is to be received within 30 days of date letter was sent.

- c. Additional measures will be taken as necessary should payment is not received within 30 days.

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