



DEPARTMENT OF ECONOMIC SECURITY

*Your Partner For A Stronger Arizona*

# ARIZONA COMMODITY SENIOR FOOD PROGRAM (CSFP)

## STATE PLAN

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## A. STATE DISTRIBUTING AGENCY INFORMATION

### 1. CONTACT INFORMATION

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#### PROGRAM CONTACTS

Hunger Relief Program Manager (480) 521-5700  
Hunger Relief Program Specialist (480) 387-9096  
[coordinatedhungerreliefprogram@azdes.gov](mailto:coordinatedhungerreliefprogram@azdes.gov)

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#### STATE AGENCY PHYSICAL ADDRESS

Arizona Department of Economic Security  
Division of Aging and Adult Services  
Emergency Services Administration (Community Action Programs, Domestic Violence, Homeless  
Coordination Office, Hunger Relief) Coordinated Hunger Relief Program  
1789 West Jefferson Street, 3rd Floor NW  
Phoenix, AZ 85007

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#### STATE AGENCY MAILING ADDRESS

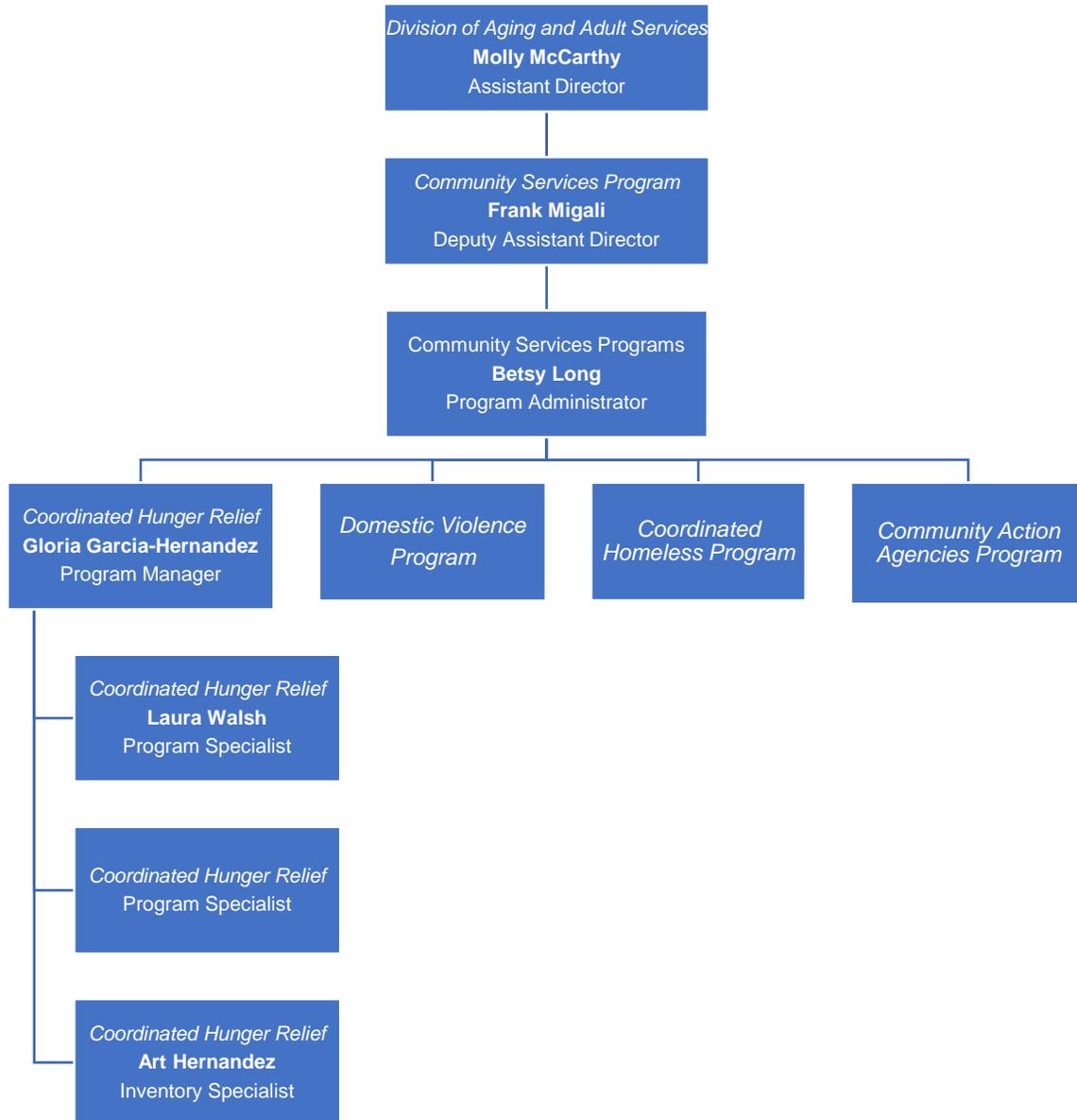
Arizona Department of Economic Security  
Division of Aging and Adult Services  
Community Service Programs Administration  
Coordinated Hunger Relief Program  
P.O. Box 6123, Mail Drop 6282  
Phoenix, AZ 85005

Arizona of Department of Economic Security will amend the CSFP State Plan as needed or upon request by USDA-FNS.



## 2. PROGRAM ORGANIZATION

### STATE AGENCY ORGANIZATION CHART



### AGENCY PROGRAM RESPONSIBILITIES

#### U.S. DEPARTMENT OF AGRICULTURE

As applied to the Commodity Supplemental Food Program (CSFP), the U.S. Department of Agriculture Food and Nutrition Service (USDA FNS) is responsible for:

- Federal level program administration



- Caseload allocation to State Agencies (SAs)
- Administrative funding allocation to SAs

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## ARIZONA DEPARTMENT OF ECONOMIC SECURITY

The Arizona Department of Economic Security (ADES) is the SA for CSFP. ADES is responsible for:

- State level program administration
- Complying with civil rights requirements
- Maintaining the CSFP Arizona State Plan
- Submitting CSFP Arizona State Plan amendments and caseload increase requests to USDA FNS
- Evaluating and shifting as needed regional caseload assignments
- Selecting and entering into agreement with Regional Food Banks (RFBs)
- Allocating caseload and administrative funding to RFBs
- Ordering commodities for distribution
- Providing training and technical assistance to RFBs
- Establishing SA-determined eligibility criteria
- Establishing commodity complaint procedures
- Maintaining accurate and complete records
- Maintaining an acceptable financial management
- Establishing guidelines for and pursuing claims against participants
- Ensuring statewide distribution does not exceed allocated caseload
- Ensuring compliance with Federal audit requirements
- Conducting management reviews and program outreach

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## REGIONAL FOOD BANKS

Regional Food Banks (RFBs), also known as Local Agencies (LA), operate CSFP under contract with ADES. RFBs are responsible for:

- Region level program administration
- Complying with civil rights requirements
- Advising ADES of regional caseload issues
- Entering into agreements with Distribution Sites (DS)
- Establishing regional commodity complaint procedures
- Storing commodities in accordance with Federal, State and local guidelines
- Maintaining accurate and complete records
- Establishing an acceptable financial management system
- Pursuing claims against participants
- Ensuring caseload does not exceed allocation
- Ensuring compliance with audit requirements
- Certifying applicants for participation



- Conducting program outreach
- Providing DS monthly nutrition education for participants
- Conducting annual nutrition education survey
- Utilize the ADES required Link2Feed database

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## DISTRIBUTION SITES

Distribution Sites (DS) perform commodity distribution services and may certify applicants for participation. LA assume responsibility for certifying clients who reside in the service area of a non-certifying DS. DS are responsible for:

- Complying with civil rights requirements
- Entering into agreement with the LA
- Storing commodities in accordance with Federal, State and local guidelines
- Maintaining accurate and complete records
- Establishing an acceptable financial management system
- Pursuing claims against participants
- Ensuring caseload does not exceed allocation
- Ensuring compliance with audit requirements
- Providing nutrition education to participants, representatives and proxies
- Conducting program outreach
- Certifying applicants
- Meeting the special needs of homebound clients
- Complying with the current maximum monthly distribution rate

## B. INTRODUCTION

The ADES Coordinated Hunger Relief Program (ADES HRP) is the entity responsible for State level administration of the Commodity Senior Food Program (CSFP) in Arizona. ADES administers CSFP in accordance with the provisions of Title 7 of the Code of Federal Regulations (7 CFR) Parts 247 and 250, as applicable. In-depth program implementation information is contained in the Arizona CSFP Policy and Procedure Manual, which is made available for program partners and the public on the ADES website at <https://des.az.gov>.

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The Commodity Supplemental Food Program is known as the Commodity Senior Food Program in Arizona.

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Prior to ADES assuming administrative responsibility on October 1, 2017 for the program, CSFP was administered by the Arizona Department of Health Services, which is also responsible for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC). This program pairing was efficient and sensible due to shared program objectives and nutrition education goals.



Due to the provisions of Section 4102 of the Agricultural Act of 2014 (Pub. L. 113-79), new CSFP applicants who were not at least 60 years of age became ineligible for certification as of February 7, 2014. Section 4102 authorized persons who were current participants but did not meet the newly enacted age restriction to continue participating in CSFP, until the person no longer qualified under program rules in effect on February 6, 2014.

Arizona reevaluated the pairing of CSFP and WIC and determined that, once all non-categorically eligible participants disenrolled, combining CSFP administration with that of The Emergency Assistance Food Program (TEFAP) and Supplemental Nutrition Assistance Program Outreach (SNAP-O) would offer an opportunity to enhance program integration while further streamlining client services.

## C. PARTICIPATING LOCAL AGENCIES

Per 7 CFR § 247.6(c)(1), the names and addresses of all Local Agencies (LA) with which DES has entered into agreement are as follows:

### **St. Mary's Food Bank Alliance**

2831 North 31st Avenue

Phoenix, AZ 85009

(602) 343-3102

CEO: Tom Kertis

[Website](#)

Service Counties: Apache, Coconino, Gila, La Paz, Maricopa, Mohave, Navajo, Pinal, Yavapai, Yuma

### **Community Food Bank of Southern Arizona**

3003 North Country Club Road,

Tucson, AZ 85726

(520) 622-0525

CEO: Michael McDonald

[Website](#)

Service Counties: Cochise, Graham, Greenlee, Pima, Santa Cruz

## D. ELIGIBILITY STANDARDS

Responsive to 7 CFR § 247.6(c)(2), paragraphs 1 through 4 of this section detail client eligibility standards.

### 1. INCOME STANDARDS

Applicants are income eligible when their gross household income is at or below 130 percent of the Federal poverty guidelines as issued in the Federal Register by the U.S. Department of Health and Human Services for the relevant Federal fiscal year. Arizona implements new income guidelines immediately upon receipt.



Arizona excludes all income listed in 7 CFR §§ 247.9(e)(2) and 246.7(d)(2)(iv). When a household's income at the time of application does not reflect the household's actual status (i.e., the current gross income does not allow an accurate projection of income anticipated to be received during the certification period), LA are authorized to average the household's income over the 12-month period prior to the date of application, in accordance with 7 CFR § 247.9(e)(4). Arizona requires all LA to apply this method of income determination in warranted situations.

Verification of income is obtained through the applicant's self-certification on the application for benefits. LA must provide applicants with information regarding countable and non-countable income to assist in the applicant's income calculation. LA must refer instances of questionable self-certification of income to ADES HRP for guidance. LA may not request documentation to verify client self-certifications without authorization from ADES HRP.

## 2. RESIDENCY

Participants must reside in Arizona and within a LA's service area to be eligible for CSFP. Neither the length of time the applicant has resided in Arizona or in the LA's service area, nor the length of time the applicant intends to remain a resident of Arizona or the LA's service area may be considered in the eligibility determination.

Verification of residency must be explored at each certification. When the applicant does not have verification at the time of application, LA must allow the applicant thirty (30) calendar days to provide the verification. If all other eligibility requirements are satisfied, the applicant may receive one (1) food box prior to submitting verification of address.

When verification of residency is not provided at the time of application or within thirty (30) calendar days after application, the LA must discontinue distribution to the client, allowing for a minimum fifteen-day (15) written notice of adverse action as required by 7 CFR § 247.17.

Verification of residency is obtained through any of the following sources:

- Driver's license
- Photo identification containing the applicant's address
- Lease agreement
- Property ownership documentation
- Rent or mortgage receipt
- Utility bill
- Any other reasonable, non-questionable document establishing the applicant's residency

## 3. PARTICIPANT IDENTIFICATION

Participants must present valid identification at each certification. Participants, authorized representatives, and proxies must present valid identification prior to receiving a CSFP distribution, in accordance with 7 CFR § 247.10(b).



Verification of identification is obtained through any of the following sources:

- Birth certificate
- Driver's license
- Passport or passport card
- Identification card issued by another assistance or social service program (e.g., Medicaid enrollment card)
- Veterans' Health Identification Card
- Work identification card
- Voter registration card
- Any other reasonable, non-questionable document establishing the participant's identification.

#### 4. AGE VERIFICATION

Participants must be at least 60 years of age to participate in CSFP. Verification of age is obtained through any of the following sources:

- Birth certificate
- Driver's license
- Photo identification containing the participant's date of birth
- Social Security Administration records
- Passport or passport card
- Census documents, including Tribal census records
- Baptismal certificate
- Military discharge documents
- Any other reasonable, non-questionable document establishing the participant's age

#### E. NUTRITIONAL RISK CRITERIA

Responsive to 7 CFR § 247.6(c)(3), Arizona applies the nutritional risk criterion of "low income" for all applicants meeting income, residency, and categorical eligibility factors.

#### F. SERVICE PLAN DESCRIPTION AND CASELOAD NEEDED

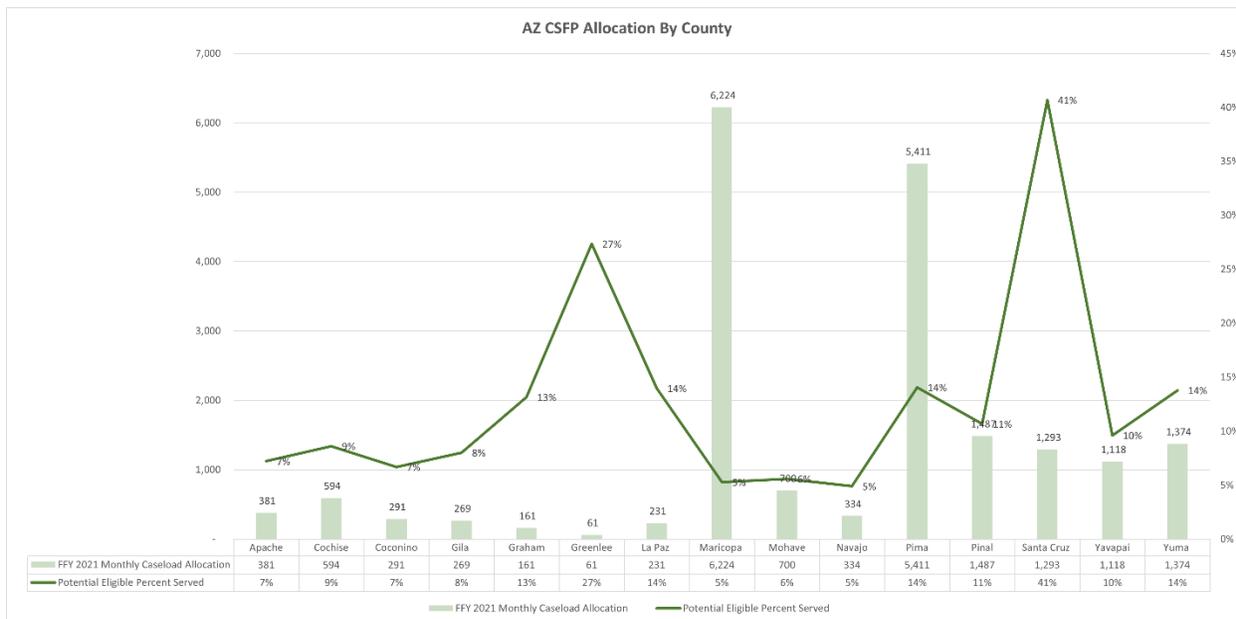
Responsive to 7 CFR § 247.6(c)(4), Arizona calculates local caseload allocation by taking into consideration the following factors:

- the need in the service area
- the local agency's caseload request
- the capacity of the local agency to manage the caseload and provide proper program administration at the local level

The 2021 caseload of 19,929 allows service to approximately eight (8) percent of the potentially eligible seniors in Arizona. ADES estimates that there are over 230,000 potentially eligible seniors who are unable to receive services due to a lack of available caseload funding.



See the below table for current caseload allocation by county versus the estimated potential number of seniors with an income at or below 130 percent of Federal Poverty Guidelines.



**Table 1: 2021 CSFP Caseload Allocation and Potential Eligible Seniors by County**

## G. OUTREACH PLAN

Responsive to 7 CFR § 247.6(c)(5), outreach activity is conducted at the LA level. LA develop outreach materials to educate potentially eligible participants on the benefits of program participation and steps needed to become enrolled. Additionally, LA are encouraged to network with organizations in their service areas that provide services complimentary to CSFP. Other organizations include senior citizen centers, Area Agencies on Aging, faith-based agencies and health care providers. ADES HRP maintains an online map of CSFP certification and distribution locations to assist participants and social services agencies in quickly locating their nearest CSFP distribution site.

## H. COMMODITY RECEIPT, STORAGE, INVENTORY MANAGEMENT, AND DISTRIBUTION

Responsive to 7 CFR § 247.6(c)(6), Arizona’s commodity receipt, storage, inventory management and distribution practices are detailed in parts 1 through 7 of this section.

### 1. RECEIPT

ADES HRP orders commodities through the U.S. Department of Agriculture (USDA) Web Based Supply Chain Management System (WBSCM). Commodities are then shipped directly to the LA’s warehouse from the National Multi Food Warehouse and USDA vendors. Shipments, including high security seals, must be inspected prior to unloading. For frozen and refrigerated foods, the



LA must check the shipping unit's thermometer to ensure the temperature inside the unit is at an acceptable level and the position of the refrigeration unit's power switch to ensure the unit is on and working. LA must advise ADES HRP of the receipt of commodities. ADES HRP then reports the receipt to USDA FNS via WBSCM.

LA are prohibited from levying fees, such as gate or lumper feed, on vendors or carriers. However, LA are permitted to request reimbursement for costs associated with restacking unpalletized or poorly stacked shipments. To be eligible for reimbursement, LA must provide appropriate documentation to ADES HRP and the FNS Regional Office prior to accepting the shipment.

## 2. STORAGE

LA must provide for the safe storage and control of commodities that protects against theft, spoilage, damage, or other loss. Storage facilities must be kept in sanitary conditions, with adequate air circulation and at the proper temperature and humidity levels. LA are required to maintain storage facilities in compliance with all Federal, State and local regulations regarding food safety and health, including adherence to all health inspection requirements. Storage facilities and methods must allow for the proper response to food recalls, as applicable.

LA are authorized to contract with commercial storage facilities. All contracted facilities must also comply with the requirements of this section and 7 CFR § 250.12(f) *et seq.*

## 3. INVENTORY MANAGEMENT

LA must ensure CSFP commodities are stored in a manner that permits them to be distinguished from other foods and that a separate inventory record is maintained. Inventory management systems must allow for commodities to be distributed in a timely manner and in optimal condition.

LA must conduct an annual physical inventory at all storage facilities and reconcile physical and book inventories. Any losses must be reported to ADES HRP, which will then report the losses to USDA FNS. ADES HRP is responsible for ensuring restitution for commodity losses is made.

LA may maintain a maximum CSFP commodity inventory that is no greater than the amount needed for a three-month period, based on distribution volume history.

LA and commercial storage facilities must obtain insurance to protect the value of commodity inventories in an amount at least equal to the average monthly value of commodity inventories stored in the previous fiscal year.

## 4. DISTRIBUTION TO LOCAL DISTRIBUTION SITES

Shipments to local Distribution Sites (DS) must be conducted in the most efficient and cost-effective manner possible and, to the extent practical, in accordance with the specific needs and preferences of the DS.



## 5. DISTRIBUTION TO ENROLLED PARTICIPANTS

DS must distribute a package of commodities to participants each month, or a two-month supply of commodities every other month, in accordance with the food package guide rates established by USDA FNS.

The participant, or participant's authorized representative (Proxy), must present an acceptable form of identification before commodities can be distributed to that person.

DS are prohibited from distributing commodities for any purpose other than participant consumption or nutrition education. Commodities may not be distributed for use in program outreach or as refreshments.

## 6. DISTRIBUTION WHEN PENDING VERIFICATION OF RESIDENCY

When an applicant is not able to provide verification of residency at certification but is otherwise eligible to receive program benefits, the applicant is assigned to a one-month (1) certification period and provided with a one-month (1) supply of commodities and nutrition education. The applicant must be informed, in writing, that their participation will be discontinued without additional notice, when verification of address is not provided to the certifying local agency within thirty (30) calendar days from the date of application.

## 7. DISTRIBUTION TO PARTICIPANTS ON WAITING LIST

DS are permitted to distribute a one-month (1) supply of commodities to program eligible participants who have been placed on a waiting list, insofar as the following conditions are met:

- a regular program participant has elected to forego benefits for the month
- staff can verify the potential participant is on the waiting list
- staff have reviewed the potential participant's completed application and determined that the potential participant is eligible to receive benefits
- advises the potential participants that they should have no expectation of the receipt of benefits for successive months, unless the LA or DS has available caseload

Potential participants receiving a Waiting List Distribution are certified for one month. DS must provide the potential participant with written notification explaining that the participant is being placed back on the waiting list at the same time commodities are distributed and that the potential participant will retain their original position on the waiting list.

## I. NUTRITION EDUCATION PLAN

Responsive to 7 CFR § 247.18(b), the LA, at a minimum, is responsible for making Nutrition Education available to all DS and therefore all participants.



Nutrition Education includes the following information which should also account for specific ethnic and cultural characteristics whenever possible:

- The nutritional value of CSFP foods, and their relationship to the overall dietary needs of the population group served
- Nutritious ways to use CSFP foods
- Special nutritional needs of participants and how these needs may be met
- The importance of health care, and the role nutrition plays in maintaining good health
- The importance of the use of the foods by the participant to whom they are distributed, and not by another person.

Each month the LA will provide written informational material (e.g., flyers or newsletters) to each DS to be placed in CSFP food boxes. This literature must be relevant to CSFP and easily understood by participants. LA are encouraged to use all available senior-focused Nutrition Education sources to compile the informational material. Such literature may include, but is not limited to, the following elements:

- Recipes
- Healthy living tips
- Exercise suggestions
- Information on where to find more Nutrition Education resources

In addition to written informational material, LA should provide additional forms of Nutrition Education whenever possible and are strongly encouraged to partner with SNAP-ED to conduct nutrition activities. Such activities may include, but are not limited to:

- Live cooking demonstrations and/or classes
- Taste tests
- Nutrition Education classes
- Physical activity lessons
- Digital cooking demonstrations which participants can view online

CSFP foods may be used in cooking demonstrations by the LA or SNAP-ED educators as part of the Nutrition Education provided to program participants per 7 CFR 247.18 (d).

## 1. NUTRITION EDUCATION SOURCES

Nutrition education sources include, but are not limited to, the following:

- **Arizona Nutrition Network**  
<https://www.eatwellbewell.org>
- **Arizona CSFP MyPlate Cookbook**  
<http://azdhs.gov/documents/prevention/nutrition-physical-activity/csfpr-recipe-cookbook-eng.pdf>
- **ChooseMyPlate.gov**  
<https://www.choosemyplate.gov/older-adults>
- **USDA Mixing Bowl recipes**  
<https://www.myplate.gov/myplate-kitchen/recipes>
- **USDA Nutrition.gov website**  
<https://www.nutrition.gov/topics/audience/older-individuals>



- **USDA SNAP-Ed Connection website**  
[https://snaped.fns.usda.gov/materials/search?f%5b0%5d=field\\_material\\_information%253Afield\\_rf\\_em\\_format%3A992&f%5b1%5d=field\\_snap\\_ed\\_intervention\\_chann%3A6](https://snaped.fns.usda.gov/materials/search?f%5b0%5d=field_material_information%253Afield_rf_em_format%3A992&f%5b1%5d=field_snap_ed_intervention_chann%3A6)
- **AZ Health Zone**  
<https://www.azhealthzone.org/>

## 2. NUTRITION EDUCATION EVALUATION

LA must conduct an annual nutrition education evaluation survey (using Link2Feed), to be approved by ADES, to be conducted January through June that identifies the nutrition education effectiveness. AT a minimum 50% CSFP participants per service area shall be surveyed. Surveys must:

- include measures compatible with the purpose of CSFP nutrition education
- involve and encourage participant input
- protect participant privacy and maintain confidentiality
- be culturally and linguistically appropriate

Survey results are due from the LA to ADES HRP by October 15<sup>th</sup> of each contract year or within thirty (30) days of survey completion and include:

- accurately reported positive and negative results
- incorporate corrective action planning to improve upon negative results
- measure shifts in participant knowledge of nutrition education
- identify implementation barriers and detail steps taken to overcome the barriers
- describe all nutrition education conducted and include total cost

LA are authorized to consult or contract with a registered dietician or other qualified nutrition professional for nutrition education evaluation services.

Nutrition education evaluation plans developed, implemented, and kept current by a registered dietician do not require SA approval; all other plans must be approved by a SA registered dietician or qualified nutrition professional prior to implementation and after any major revision.

For the purposes of this section, a “registered dietician” is a person who meets the qualifications of the credentialing agency for the American Academy of Nutrition and Dietetics.

Local agencies must share evaluation results with the SA and, on the SA’s request, other hunger relief organizations.

## J. PREVENTION AND DETECTION OF DUAL PARTICIPATION

Per 7 CFR § 247.6(c)(8), LA must develop and implement controls to detect and prevent dual participation. To receive ADES HRP approval, LA and their DS must utilize the statewide CSFP electronic certification and case maintenance system, Link2Feed, as a component of the control.



The Link2Feed database tracks all CSFP participants in Arizona and assists in the identification of potential duplicate enrollments or commodity receipt for the same individual.

Due to program changes required by Section 4102 of the Agricultural Act of 2014 and the absence remaining potentially WIC-eligible participants enrolled in CSFP, ADES HRP does not maintain a data sharing agreement for the purposes of identifying and preventing dual participation with the State WIC agency.

## K. PURSUIT OF CLAIMS, COST EFFICIENCY STANDARDS

Responsive to 7 CFR § 247.6(c)(9), ADES HRP has determined that the pursuit of a claim against a participant to recover the value of USDA foods improperly received or used is cost effective when the value of the improperly received commodities exceeds \$100 or 4 months of CSFP benefits. LA are required to use this standard in determining if a claim is to be pursued in accordance with 7 CFR § 247.30.

When pursuing a claim against a participant, the LA must:

- issue a letter demanding repayment for the value of the commodities improperly received or used
- take additional, cost-effective collections actions in accordance with ADES HRP standards, when repayment is not made in a timely manner
- maintain all records regarding claims actions taken against participants, in accordance with 7 CFR § 247.29

## L. SERVICE TO HOMEBOUND SENIORS AND PROXIES

Responsive to 7 CFR § 247.6(c)(10), LA and/or DS must make arrangements to meet the needs of homebound seniors. Acceptable arrangements include:

- utilizing trained agency staff or volunteers to deliver commodities and nutrition education
- partnering with other organizations having the capacity to provide service to homebound seniors, such as the local Area Agency on Aging, Senior Centers or Meals on Wheels program
- encouraging participants to appoint, in writing and as needed, at least one proxy who is able to:
  1. act on the participant's behalf during certification and ongoing case processes
  2. transport the distribution and nutrition education material to the participant

When a proxy arrives to receive a distribution, DS must ensure the proxy has met following requirements prior to distributing commodities:

- the proxy has been appointed, in writing, by the participant
- the proxy has presented an acceptable form of identification
- the proxy has presented the participant's enrollment verification



DS must provide the proxy with the same nutrition education materials the participant would receive when receiving a distribution in person. Proxy appointments may be made at the time of application and throughout the certification period. The ability to appoint a proxy is available to all applicants and participants.

In SFY 2020/2021 LA received additional one-time state funding to enhance the CSFP delivery model to move to a door-to-door home delivery for approximately 4,000 CSFP clients. This funding will also assist in providing seniors with fresh, local produce in selected areas identified by each LA.

## M. CERTIFICATION PERIOD

Per 7 CFR §§ 247.16 and 247.17, the regular participant certification period is one year and extends to the final day of the month in which eligibility expires.

DS provide participants with ID/Transfer Cards. The cards include information related to the current certification and may be used to verify current enrollment in the event a participant moves within Arizona from one DS's service area to another DS's service area. When the participant does not have a card available, the "receiving" DS may either refer to the participant's certification period as displayed in Link2Feed or contact the certifying DS to determine for which months the participant is certified. Certifying DS must provide participants with verification of their certification period upon request.

A certification period of one month may be assigned for potential participants meeting one of the following circumstances:

- participant is not able to verify their address at certification and is otherwise eligible to receive program benefits.
- participant is on a waiting list and is eligible to receive a distribution, in accordance with the "Distribution to Participants on a Waiting List" section of this document.

When assigned to a one-month certification period, participants must be provided with a written notification of expiration at the same time commodities and nutrition education are distributed. The content of the written notice is dependent upon the reason the participant was assigned to a one-month certification period and must contain a statement informing the participant that program standards are applied without discrimination based on race, color, national origin, age, sex, disability or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

## N. CIVIL RIGHTS

Per 7 CFR §§ 247.5(a)(5) and 247.37, all program operations must be conducted in compliance with Federal and State civil rights requirements. Participants are advised of their rights by the following CSFP outreach and programmatic material that must contain the following:



- Program Availability—information regarding program rights, responsibilities and steps necessary for participation targeted toward program applicants and participants and to potentially eligible persons
- Complaint Information—an advisory at the service delivery point explaining the rights of applicants and participants, how to file a program complaint of discrimination and the complaint procedures
- Nondiscrimination Statement—placed on all program informational materials and sources, including web sites, used to inform the public (Note: when posting the approved nondiscrimination statement to a web site, it is not required that the local agency includes the statement on every page of the site. At the minimum, the statement, or a link to it, must be included on the home page of the program information.)

All local agency offices open to the public must prominently display the AD-475A “And Justice for All” poster where it may be read by participants. DS must display as many posters as needed to provide full coverage to all participant-accessible areas.

Faith-based local agencies must also review the individual written notice of beneficiary protections with all program applicants at the time of application and comply with alternate provider referral requirements, in accordance with 7 CFR Part 16. A copy of the written notice of beneficiary rights must be given to the applicant at the time of application.

DS frontline staff and volunteers, as well as supervisors of frontline staff and volunteers, must participate in an annual civil rights training. ADES HRP provides training to LA staff, and LA staff provides training to DS staff. The training is developed by ADES HRP and must comply with the requirements of USDA FNS Instruction 113-1.

DS must take reasonable steps to ensure meaningful access to CSFP is provided to participants with limited English proficiency (LEP), in accordance with Title VI of the Civil Rights Act of 1964. At a minimum, local agencies must be prepared to provide materials and assistance in English and Spanish. Reasonable steps are variable and dependent on agency resources. However, DS should consider the following factors in determining what constitutes reasonable steps for their organization:

- the resources available to the local agency and costs likely to be incurred
- the number or proportion of LEP persons eligible to be served or likely to be encountered
- frequency with which LEP individuals encounter the program
- nature and importance of the program, activity or service provided by the program to people’s lives

## O. FAIR HEARINGS

Responsive to 7 CFR § 247.33, DS must ensure that participants understand their right to appeal an action or inaction through the fair hearing process. Notification of the right to a fair hearing must be included on the following documents:

- Notification of Discontinuance of Program Benefits



- Notification of Disqualification
- Notification of Ineligibility
- Claims to repay the value of commodities received due to fraud

A participant or participant's representative may request a fair hearing by making a clear verbal or written expression to LA, DS or ADES HRP staff. LA must forward fair hearing requests to ADES HRP as soon as practicable. On receipt, ADES HRP coordinates hearing scheduling and correspondence with the appellant.

Fair hearing requests may only be denied when the request meets any of the following conditions:

- the request was received more than sixty (60) calendar days from the mailing date of the notice prompting the request.
- the participant or participant's representative submits a written withdrawal of the request to the local agency or ADES HRP.
- the participant fails to appear, without good cause, for the scheduled hearing.
- a change in law or policy requires service adjustments or the discontinuance of benefits for classes of recipients, in accordance with Arizona Administrative Code R6-5-2404.B.
- the fair hearing request was made due to the participant's placement on a waiting list.

Participants who appeal a discontinuance of program benefits within the fifteen-day (15) notification period required under 7 CFR §§ 247.17 and 247.20 must be permitted to continue to receive benefits until a decision on the appeal is made by a hearing official, or until the end of the participant's certification period, whichever occurs first.

Participants must be provided with a minimum fifteen-day (15) advanced notice of scheduled fair hearing details to include:

- the time, date and place of the hearing
- the name of the hearing officer
- the issues involved
- the participant's fair hearing rights

The primary fair hearing official is designated as the Deputy Assistant Director of the ADES Division of Aging and Adult Services (DAAS). Should the Deputy Assistant Director not be able to conduct the hearing, the backup official is designated as the Assistant Director of the ADES Division of Aging and Adult Services. When neither the Deputy Assistant Director nor Assistant Director are able to conduct the fair hearing, ADES HRP will appoint an impartial, temporary official.

When a hearing decision is in favor of an appellant who was denied CSFP benefits, the receipt of benefits must begin within forty-five (45) calendar days from the date the hearing was requested, if the appellant is still eligible for the program. If the decision upholds the ADES HRP or local agency's action, ADES HRP or the local agency will inform the appellant of the right and process to pursue judicial review of the decision.



## Q. FINANCIAL MANAGEMENT

Per 7 CFR § 247.27, ADES HRP and local agencies must maintain an electronic financial management system that allows for current, accurate and complete disclosure of the financial status of the program. The electronic system must provide for:

- prompt payment of allowable costs
- timely disbursement of administrative funds to participating local agencies (SA only)
- timely and appropriate resolution of claims and audit findings
- maintenance of records identifying receipt and use of administrative funds, funds recovered as a result of claims actions, program income and property or other assets procured with program funds

ADES HRP utilizes a Microsoft Excel-based system. LA are authorized to use the software platform of their choice, insofar as the software complies with the requirements of this section. ADES HRP and LA financial management records must be maintained for a minimum of five years after the fiscal year to which they pertain or, when the records are related to unresolved claims actions, audits or investigations, until said activities have been resolved.

## R. LOCAL AGENCY PROGRAM PARTICIPATION

Responsive to 7 CFR § 247.7, LA must meet the following minimum requirements to be eligible for participation in CSFP:

- be a tax-exempt nonprofit agency, nonprofit agency moving toward tax-exempt status or local government agency
- have the organizational capacity, including available staffing, to initiate and operate the program in accordance with Federal and State requirements
- have a need for the program in the local agency's projected service delivery area

LA indicate interest in participation by submitting an application to ADES HRP, who will work with the LA to obtain any missing application documents. Application must include the following components:

- organization contact information
- verification of the agency's tax-exempt status or application for tax-exempt status (nonprofit agencies only)
- verification of compliance with single audit requirements as defined in the Single Audit Act Amendments of 1996
- an estimate of the number of people the agency can serve effectively, while meeting all program requirements, and the methodology used to obtain the estimate
- the number of distribution sites the agency will utilize for CSFP distribution
- the agency's budget projection as related to reasonable, allowable and necessary costs for administering the program to include:



- personnel
- facilities (noncapital)
- equipment
- planned capital acquisitions and maintenance
- program outreach
- nutrition education
- transportation
- other projected program-related costs

After receipt of the completed application, ADES HRP may take up to sixty (60) calendar days to inform the applying LA of the application determination. Should an agency's application be denied, ADES HRP will provide written explanation as to the reason for the denial and a notification of the LA's right to appeal the decision. When the application is approved, ADES HRP and the LA will enter into a written agreement in accordance with the requirements of 7 CFR § 247.4. LA must also enter into written agreements with DS prior to distributing commodities to or implementing the program at the site.

## S. MANAGEMENT EVALUATION AND REVIEW

Per 7 CFR § 247.34, management evaluation and review are the responsibility of ADES HRP and cannot be delegated to a LA. The ADES HRP review system is based on the USDA FNS CSFP Management Evaluation Module and review all aspects of program administration, including certification procedures, nutrition education, civil rights compliance, food storage practices, inventory controls and financial management systems. On-site reviews are conducted, at a minimum, once every other year.

ADES HRP also evaluates LA program administration on an ongoing basis by reviewing financial reports, audit reports, food orders, inventory reports and other relevant information.

When a deficiency is found, ADES HRP must record all deficiencies identified during the review and institute follow-up procedures to ensure that LA correct all deficiencies within a reasonable period of time. To ensure improved program performance in the future, ADES HRP may require that LA adopt specific review procedures for use in reviewing their own operations and those of their DS.

## T. WAITING LIST PROCEDURES

Responsive to 7 CFR § 247.11, when the LA does not have sufficient caseload to provide service to additional program applicants, the LA will establish a waiting list. DS will inform applicants of their placement on the waiting list within ten (10) calendar days from the date of application. Applicants will be added to the waiting list on a first-come, first-served basis according to the date the application was received.

When additional caseload slots become available, DS must notify applicants on the waiting list as soon as practicable after the slots become available. DS have the option of notifying participants



by U.S. Mail, telephone or a combination of the two. Applicants who do not respond to the notification within sixty (60) calendar days will be removed from the waiting list. Once removed, the applicant may reapply and will be placed at the bottom of the waiting list. Applicants who respond to the notification and choose to receive CSFP commodities must verify that information contained on their original application has not changed prior to receiving their first distribution. When information has changed, a new application with the updated information is required to be completed.

Should a program participant move within Arizona to a service area with a waiting list, the participant will be placed on the waiting list above all applicants.

## U. USDA NONDISCRIMINATION STATEMENT

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or Local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found [online](http://www.ascr.usda.gov/complaint_filing_cust.html) at: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form.

To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail:  
U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410
- (2) fax: (202) 690-7442; or
- (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

This institution is an equal opportunity provider.

*The CSFP State Plan will be amended as needed, or upon request by USDA-FNS.*

