

Nebraska State Plan 2022

Commodity Supplemental Food Program (CSFP)

Nebraska Department of Health and Human Services
Division of Public Health, Lifespan Health Services

The Commodity Supplemental Food Program (CSFP) is defined in Title 7-Agriculture Code of Federal Regulations Chapter II-Food and Nutrition Service, Department of Agriculture, Parts 247 and 250 referred to here after as §247 and §250. Local Agencies shall comply with all applicable parts of this and related Federal regulations.

The Nebraska CSFP State Plan, here after referred to as the State Plan, describes how the Nebraska Department of Health and Human Services, the State Agency, administers CSFP. The State Plan and any amendments to the State Plan are approved by the Food and Nutrition Service of the Department of Agriculture prior to implementation. Local Agencies shall be familiar and comply with the State Plan. Local Agencies are encouraged to provide input on the plan at any time.

Nebraska CSFP Local Agency information including counties served and distribution sites is described in Attachment 1, in accordance with §247.6(c)(1).

Income Eligibility Standards

Adults 60 years or older are income eligible for CSFP if the income for the household is within 130% of the Federal Poverty Income Guidelines published annually by the Department of Health and Human Services. The State Agency will notify the Local Agencies of the adjustment to the income guidelines. It is the responsibility of the Local Agencies to ensure the new guidelines are being followed.

The Local Agencies can determine household income based on current income or the average income of the previous 12 months when warranted.

Local Agencies will follow the definition of income per §247.9(d)(1) and exclude incomes mentioned under §246.7(d)(2)(iv)(D) as required per §247.9(d)(3). The State of Nebraska will exclude income listed under §247.9(d)(2).

Local Agencies will allow income to be verified through self-declaration.

Nutritional Risk Criteria

The State Agency will not require an individual to be at nutritional risk in order to be eligible to participate in the CSFP.

Service Plan and Caseload Needed

On an annual basis, the State Agency will request a caseload from the U.S. Department of Agriculture (USDA). The caseload request will be based on the previous year's caseload performance, the projected caseload need for the current fiscal year, and input from the Local Agencies. Once a final caseload from USDA is announced, the State Agency will allocate the caseload to the Local Agencies based on their request, demonstrated capabilities, and projected CSFP eligible population within the service area. Local Agencies have the ability to have agreements with public and/or other non-profit agencies to administer the CSF program in their service area. Local Agencies are encouraged to use properly trained volunteers to help with the needs of the program.

Residency Requirements:

Local Agencies are authorized to serve residents from counties within their normal service areas. Local Agencies may also serve residents outside their service area, but within Nebraska, and not overlapping another CSFP Local Agency's counties unless there is coordination with that agency. All participants must lawfully reside in the State of Nebraska per Nebraska Rev. Stat. §4-108 through 4-114.

Adults 60 years or older living in assistant living or nursing homes are not eligible for CSFP benefits.

Verification of residency may include a utility bill, driver's license, state identification card, a letter addressed to the applicant, or an indication from an employer that residency is in Nebraska. Verification cannot be more than 30 days old.

Outreach Plan

Outreach efforts will be made by the State Agency and the Local Agencies. Flyers and/or brochures that describe the program will be created for distribution through a variety of community venues such as churches, senior centers, grocery stores, etc. The State Agency will also use existing relationships with other internal sections such as the State Unit on Aging, Supplemental Nutrition Assistance Program (SNAP), and Communications to advertise CSFP.

Storing and Distributing Food Commodities

The Nebraska Department of Health and Human Services will ensure Local Agencies provide the name and address of each certification, food distribution, and storage sites under its jurisdiction before entering into a written agreement with the Local Agency.

Local Agencies submit their food orders to the State Agency. The State Agency will review the food orders and enter them into the web-based system. Local Agencies will receive the shipments of food directly to the location(s) of their choosing.

Local Agencies are responsible for recruiting and/or establishing food distribution sites. Each site must conform to local, state and federal health standards. If the storage site is not owned by the Local Agency, the storage site must enter into an agreement with the Local Agency to assure that proper food handling, storing, and distribution procedures and recording requirements are maintained. Agreements must follow the requirements under §247.4.

Local Agencies shall assure that distribution sites under their purview provide adequate care and security for the food while in their possession. Foods shall be stored in adequate and secure areas at each distribution site to safeguard them from spoilage, infestation, fire, and other losses. These storage areas may also be used to store The Emergency Food Assistance Program (TEFAP) commodities or other USDA foods for local use and distribution but each program's commodities must be maintained separately. Inventory and distribution amounts as well as participant data shall be reported to the local agency each month.

Each monthly food package must follow the current CSFP Maximum Monthly Distribution Rate set by USDA. Participants may refuse a food item(s) but they must be offered a complete box. Local Agencies can never substitute one category for another or offer more or less food items within a category unless given permission by USDA. The State Agency will inform Local Agencies of any change to the monthly food packages.

Monthly food packages will be distributed monthly or bi-monthly. Monthly food packages cannot be retroactively distributed. In rare instances, retroactively distributing a food package may be approved. Special permission has to be requested by the State Agency to USDA.

Local Agencies may permit the use of proxies to pick up food on behalf of the participant. The Local Agency is responsible for maintaining the documentation of the participant giving permission to a proxy and establish a system that ensures the participant has received the food package from their proxy.

Participants or their proxies pick up food packages at the designated distribution site once each month during the distribution site's normal hours of operation. Staff and/or volunteers at the site shall verify the participant or proxy identity and eligibility prior to distributing the foods. The Local Agency may choose to require a signature or other alternative method to document the participant received their monthly food package. The Local Agency should have a procedure in place to help ensure that participants receive their monthly food package.

Participants shall not be required to make any payments, provide any materials or services in connection with the receipt of CSFP commodities. Participants also shall not be solicited in connection with the receipt of CSFP commodities for voluntary cash contributions for any purpose.

Certification Period

1. Certification periods will be for the length of 3 years with informal reviews required on an annual basis. As part of an informal review, Local Agencies must do the following:
Verify the address and continued interest of the participant; and
2. Have sufficient reason to determine that the participant still meets the income eligibility standards, which may include a determination that the participant has a fixed income.

In order to ensure continued benefits, participants will be given a written notification at least 15 days before the expiration date that eligibility for the program is about to expire per §247.16(d). If eligibility expires, participants need to be recertified following the procedures outlined at §247.8 before benefits can continue.

Nutrition Education

The State Agency will provide the Local Agencies with resources they can utilize to provide nutrition education to its CSFP participants. The Local Agencies will provide the nutrition education by any means that is beneficial to the community they serve while considering the resources they have access to. When funding is available, the State Agency will collaborate with SNAP Education and share those resources with its Local Agencies.

A survey will developed to evaluate the effectiveness of nutrition education efforts and to obtain participant input. Survey results help local agencies focus the nutrition information provided to meet the needs of participants.

Detect and Prevent Dual Participation

It is the Local Agency's responsibility to educate the participant on dual participation. Local Agencies will ensure the following statements are on the application for CSFP benefits and must be read by, or read to, the applicant or the applicant's caretaker, in the appropriate translation, at the time of certification:

“Improper receipt of CSFP benefits as a result of dual participation or other program violations may lead to a claim against the individual to recover the value of the benefits, and may lead to disqualification from CSFP”;, and “I may not receive CSFP benefits at more than one CSFP site at the same time. Furthermore, I am aware that the information provided may be shared with other organizations to detect and prevent dual participation.”

The State Agency conducts research to detect dual participation. On a bi-yearly basis, for the months October and April, the Local Agencies will submit the name, date of birth, address, and city for all participants served in the corresponding month.

The State Agency will immediately notify the appropriate Local Agency of any participants who are determined to be potentially dual participating for follow up. If the participant is found to be collecting CSFP benefits at more than one agency, action will be taken to disqualify the participant from CSFP for a period up to 1 year if warranted. Disqualified participants will be notified in writing at least 15 days before the effective date of disqualification.

Cost Effective Claim Standard

The pursuit of a claim against a participant to recover the value of CSFP commodities improperly received or used is cost effective when the value exceeds \$100 or 5 months of food packages.

For the purposes of this program, fraud includes intentionally making false or misleading statements or intentionally withholding information, to obtain CSFP commodities, or the selling or exchange of CSFP commodities for good and/or services.

If the Local Agency determines that the participant or the caretaker of the participant, fraudulently received or used the commodities, the Local Agency must document the number of months the CSFP benefit was improperly received or used.

In pursuing a claim against a participant, the Local Agency must:

1. Issue a letter demanding repayment of the value of the commodities improperly received or used;
2. If repayment is not made in a timely manner, take additional collection actions that are cost-effective, in accordance with the standards established by NDHHS; and
3. Maintain all records regarding claim actions taken against a participant in accordance with §247.29.

The Local Agency must disqualify the participant from CSFP for a period of up to one year, unless the Local Agency determines that disqualification would result in a serious health risk, in accordance with the requirements of §247.20(b).

The Local Agency must advise the participant of the opportunity to appeal the claim through the fair hearing process, in accordance with §247.33(a).

Homebound Elderly

Every effort will be made to accommodate homebound elderly considering funding and resources available. Local Agencies shall coordinate efforts to meet the needs of homebound seniors with the local Area Agency on Aging (AAA) and the homebound “Meals on Wheels” program. Local Agencies shall work with the local AAA to identify potential homebound participants, to conduct outreach, and to conduct certification and delivery of food packages. Local Agencies shall also allow designated proxies to pick up food packages for homebound seniors.

When appropriate, Local Agencies shall conduct training to volunteers in the communities to take applications to seniors and collect appropriate information and documentation. Actual certification of the homebound seniors shall occur at the certification site or by Local Agency staff.

Nebraska Commodity Supplement Food Program Agencies

Nebraska Department of Health and Human Services executes subaward agreements with 9 non-profit Local Agencies. CSFP is offered in Nebraska's 93 counties.

LOCAL AGENCY	COUNTIES SERVED	DISTRIBUTION SITE(S)
Blue Valley Community Action Partnership P.O. Box 273 Fairbury, NE 68352 (402) 729-2278	Butler, Fillmore, Gage, Jefferson, Polk, Saline, Seward, Thayer, and York	Beatrice, David City, Fairbury, Hebron, and York,
Central Nebraska Community Services, Inc. P.O. Box 509 Loup City, NE 68853 (308) 745-0780	Blaine, Boone, Boyd, Brown, Cherry (East), Colfax, Custer, Garfield, Greeley, Hall, Hamilton, Holt, Howard, Keya Paha, Loup, Merrick, Nance, Platte, Rock, Sherman, Valley, and Wheeler	Broken Bow, Columbus, Grand Island, Loup City, O'Neill, and Valentine
Community Action Partnership of Mid-Nebraska 114 East 11th Street P.O. Box 2288 Kearney, NE 68848 (308) 865-5683	Adams, Arthur, Buffalo, Chase, Clay, Dawson, Dundy, Franklin, Furnas, Frontier, Gosper, Grant, Harlan, Hayes, Hitchcock, Hooker, Kearney, Keith, Lincoln, Logan, McPherson, Nuckolls, Perkins, Phelps, Red Willow, Thomas, and Webster	Arapahoe, Benkelman, Cambridge, Cozad, Clay Center, Franklin, Grant, Hastings, Imperial, Kearney, Lexington, McCook, Minden, North Platte, Ogallala, Red Cloud, Superior, and Sutherland
Community Action Partnership of Western Nebraska 3350 10th Gering, NE 69341 (308) 635-7298	Banner, Cheyenne, Deuel, Garden, Kimball, Morrill, and Scotts Bluff	Bayard, Bridgeport, Chappell, Gering, Kimball, Lewellen, Mitchell, Morrill, Oshkosh, Potter, and Sidney
Eastern Nebraska Community Action Partnership 2406 Fowler Ave. Omaha, NE 68111 402 453-5656	Cass, Douglas, and Sarpy	Arlington, Blair, Fremont, Omaha, Plattsmouth, and Valley
Food Bank of Lincoln, Inc. 4840 Doris Bair Circle, Suite A Lincoln, NE (402) 466-8170 ext. 111	Otoe, Lancaster, and Saunders	Lincoln and Nebraska City
Northeast Nebraska Community Action Partnership P.O. Box 667 Pender, NE 68047 (402) 385-6300	Antelope, Burt, Cedar, Cuming, Dakota, Dixon, Knox, Madison, Pierce, Stanton, Thurston, Wayne, Dodge and Washington	Creighton, Norfolk, South Sioux City, and Wisner
Southeast NE Community Action Partnership 802 Fourth Street Humboldt, NE 68376 (402) 862-2411	Ricardson, Pawnee, Johnson and Nemaha	Richardson
Western Community Health Resources 300 Shelton Street Chadron, NE (308) 432-8190	Box Butte, Cherry (West), Dawes, Sheridan, and Sioux	Alliance, Chadron, Crawford, Gordon, Hemingford, Hay Springs, Rushville, and Harrison