

Commodity Supplemental Food Program

Hawaii State Plan

**Department of Labor and Industrial Relations
Office of Community Services**

February 2025

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Introduction

The Commodity Supplemental Food Program (CSFP) was initially authorized under the Agriculture and Consumer Protection Act of 1973 to improve the health of low-income pregnant and breastfeeding women, new mothers up to one year postpartum, infants, children up to age six, and participants at least 60 years of age, by supplementing their diets with nutritious United States Department of Agriculture (USDA) foods. The Agricultural Act of 2014 (P.L. 113-79, the 2014 Farm Bill) phased out all services under CSFP for pregnant and breastfeeding women and new mothers. New admissions for services under CSFP are now limited to low-income “participants” adults at least 60 years old. Accordingly, CSFP in Hawaii is limited to this demographic alone. This document constitutes the State Plan for the State of Hawaii effective upon approval of U.S. Department of Agriculture – Food & Nutrition Service.

Legal Authorities

CSFP is administered by the Office of Community Services in accordance with the Hawaii Revised Statutes Chapter 371K, and Federal regulations described in 7 CFR Parts 247 and 250.

Civil Rights Requirements

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 on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language) should contact the responsible state or local agency that administers the program or USDA’s TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant’s name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted 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; or

2. **fax:**
 (833) 256-1665 or (202) 690-7442; or
3. **email:**
program.intake@usda.gov

This institution is an equal opportunity provider.

Local Agencies

OCS partners with two local agencies to achieve the purpose and scope of CSFP. Since Federal Fiscal Year 2015, Hawaii Foodbank, Inc. has been providing CSFP benefits to qualified seniors in the City and County of Honolulu. In March 2017, Hawaii Foodbank added their Kauai branch to its service population. In addition, The Food Basket, Inc. began providing CSFP benefits in the County of Hawaii.

<u>City and County of Honolulu</u>	<u>County of Kauai</u>	<u>County of Hawaii</u>
<u>Hawaii Foodbank, Inc.</u> 2611 Kilihau Street Honolulu, HI 96819	<u>Hawaii Foodbank, Inc. - Kauai Branch</u> 4241 Hanahao Place Suite 101 Lihue, HI 96766	<u>The Food Basket, Inc.</u> 40 Holomua Street Hilo, HI 96720

Eligibility

Applicants are eligible for the program if they meet all three of the following requirements:

1. **Age.** At least 60 years of age.
2. **Income.** Maximum monthly household income at or below 150% of the Federal Poverty Income Guidelines for Hawaii.

CSFP Applicants that show that they are fully eligible for any of the following Federal programs: The Supplemental Nutrition Assistance Program (SNAP), The Food Distribution Program on Indian Reservations (FDPRI), Supplemental Security Income (SSI), The Low-Income Subsidy Program (LIS), and the Medicare Savings Programs (MSP) may also be accepted as income-eligible. Applicants that are MSP eligible may be over the 150% FPL but are not eligible for CSFP.

Residency. Must reside in the county applying for service.

CSFP local agencies should not request additional income information (e.g., monthly income) from participants who are determined to be income eligible via another Federal or State-level program per Title 7 Code of Federal Regulations (CFR) Part 247.9(b)(1) or (2).

Nutritional Risk Criteria

The nutritional risk criteria shall not be implemented to determine eligibility for CSFP.

Service and Caseload Need

Local agencies shall directly assist applicants and participants for CSFP services.

At their discretion, local agencies may establish written agreements with the Eligible Recipient Agency (ERA), which is a public or non-profit private agency to assist in the certification and distribution process. The local agency must provide and keep a record of civil rights training to staff and volunteers who handle applicant information or interact with applicants and participants. This record must be kept for a minimum of three (3) years. The local agency and the ERA shall restrict the use or disclosure of information obtained from CSFP applicants or participants. As needed, OCS may request applicant or participant information.

Caseload need and size is decided by the Federal government. Per program regulations at [7 CFR 247.21\(a\)\(2\)](#), CSFP state agencies must achieve a participation level which was equal to or greater than 95 percent of assigned caseload for the previous caseload cycle in order to be eligible for additional caseload, based on the performance periods.

See table below for a guideline of responsibilities between the local and the eligible recipient agency:

	Local Agency	ERA
Application Intake	X	
Certification	X	
Distribution of CSFP USDA Foods	X	X
Provide Notice of Adverse Action to Applicant or Participant	X	
Provide Notice of Expiration of Certification Period to Participant	X	
Provide Waiting List Notification to Applicant or Participant	X	
Re-Application Intake and Processing	X	
Recordkeeping	X	X
One (1) Year Recertification	X	

Application Intake

Local agencies shall conduct application intake and certification. The following information must be verified by applicants:

- Name and contact information of each applicant;
- Household income;
- Household residency within the State of Hawaii;

- Household size; and
- Other information related to eligibility, such as age

Upon applying, acceptable forms of identification for CSFP would be a valid State or Federal photo ID (State driver's license, state ID, passport, permanent resident card, etc.) CSFP local agencies should not request additional income information (e.g., monthly income) from participants who are determined to be income eligible via another Federal or State-level program per Title 7 Code of Federal Regulations (CFR) Part 247.9(b)(1) or (2).

Local agencies shall ensure that the application is complete, verify that information on the application is correct, inform the applicant of their rights and responsibilities, and certify the applicant if all requirements are met. Certification lasts three (3) years, with annual check-ins. At the end of the three year mark, a new application must be processed. During this three-year time frame, local agencies are required to, on an annual basis, do the following:

- Verify the address and continued interest of the participant; and
- Have sufficient reason to determine that the participant still meets income eligibility standards, which may include a determination that the participant has a fixed income.

Local agencies should document confirmation of interest/other during annual reports.

Rights and Responsibilities

During the certification process, the local agency shall ensure that applicants are informed, orally or written, of their rights to other nutrition, health, or applicable assistance programs, and be referred to those programs, if appropriate. Such public assistance programs that participants may have access to include:

- Supplemental security income benefits;
- Medical assistance, including ones provided to qualified Medicare beneficiaries; and
- The Supplemental Nutrition Assistance Program (SNAP)

Applicants will be informed of their responsibilities through the CSFP Application Form.

Applicants have the right to be notified of their eligibility or ineligibility within ten (10) days of receipt of the application form. Notification of eligibility may be oral or written, inclusive of information on the time and location of respective CSFP distribution, and the length of the certification period (one (1) year). Notification of ineligibility must be in writing. The local agency shall mail, or provide in person, the Notice of Adverse Action to inform applicants of their ineligibility.

An eligible CSFP applicant, including individuals on waiting lists, may be provide with a temporary monthly certification to fill any caseload slot resulting from nonparticipation by certified participants

The Notice of Adverse Action shall be used to inform applicants or participants of their ineligibility, discontinuance of program benefits, disqualification from the program, or claims to repay the value of USDA foods received because of fraud.

Distribution

Local Agencies must have a written process in place, in accordance with OCS requirements, to verify the identity of a participant or their proxy before distributing USDA Foods. Local Agencies may allow participants or their proxies to self-attest or otherwise verify their identity by reconfirming their name, signing a document, or otherwise verbally confirming their identity.

Recertification

The local agency may recertify a participant via telephone call, written notification, or in person.¹ The participant may be recertified only if the following conditions are met on an annual basis:

- The participants' address and continued interest in receiving program benefits are verified; and
- Income requirement continues to be met

The local agency shall contact and confirm with the participant at least fifteen (15) days before the end of the certification period. The local agency shall notate the recertification date and method on the participants application form.

Participants who do not recertify prior to their eligibility expiration date will need to reapply for CSFP benefits. If the local agency has maximized their caseload assignment and has a waiting list, the participant must be notified of their placement on a waiting list until caseload slots are available.

Participants who move from one area to another area served by CSFP, whose certification has not expired, will be given the opportunity to continue to receive CSFP benefits for the duration of the certification period. If the local agency has a waiting list, the participant must be placed on the waiting list ahead of all other waiting list applicants.

Participants must be recertified following the application procedures outlined at § 247.8 in order to continue receiving program benefits beyond the expiration of their certification period.

¹ Per the Agriculture Improvement Act of 2018 (Farm Bill) (P.L. 115-334); Section 4102 changes certification requirements in 7 C.F.R. 247.16

Waiting List

If the local agency's eligible applicant intake exceeds the respective caseload level, the local agency shall maintain a waiting list. Required information for the waiting list shall include, but is not limited to:

- Date of application;
- Name;
- Mailing Address; and
- Contact number

The local agency shall provide notification to the applicant of their placement on a waiting list within ten (10) days from the date of application. Once caseload slots become available, the local agency must certify eligible individuals from the waiting list based on the date the application was received on a first-come, first-served basis.

Temporary Wait List

The local agency may provide a temporary one-month certification to applicants to maximize the caseload when a participant misses a scheduled distribution. This allows the local agency to fulfill their maximum caseload in a month.

Notification Timetable

Type	Method	Provided to Applicant or Participant²
Notice of Eligibility	Verbal or Written	Within 10 days of receipt of application form
Notice of Adverse Action – Discontinuance	Written	At least 15 days before the effective date
Notice of Adverse Action – Disqualification	Written	At least 15 days before the effective date
Notice of Adverse Action – Ineligibility	Written	Within 10 days of receipt of application form
Notice of Expiration of Certification Period	Written	At least 15 days before the effective date
Notice of Recertification	Verbal, Written or In Person	At least 15 days before the effective date
Waiting List Notification	Verbal or Written	Within 10 days of receipt of application form

Caseload

OCS shall distribute available caseload to local agencies based on the need in the service area, the ability to administer the program, and a percentage of the average monthly participation rate of the last quarter in the prior federal fiscal year. All local agencies are required to maximize caseload assignment.

Outreach to Participants

Local agencies shall conduct outreach activities to potentially eligible applicants through their existing network of low-income senior programs, congregate feeding sites, and qualified pantries. Local agencies are encouraged to approach low-income senior residential housing for outreach purposes.

Homebound Participants

If a participant is physically unable to attend a certification site and pick up their CSFP food package, a proxy may be designated on their behalf on the application form. The proxy must attend a certification site, either with the homebound applicant or in their stead. If the participant is unable to attend an on-site distribution they must notify the agency that their proxy will pick up their

² Per 7 CFR 247.15; 247.17; 247.19; 247.33

CSFP food package instead. Their proxy's identification must be designated and confirmed with the agency prior to picking up the participant's CSFP food package.

Detection and Prevention of Dual Participation

Dual participation shall be geographically controlled by being implemented in different counties in the State of Hawaii.

At the local level, the local agency shall cross-check applicant information with current CSFP participant lists to prevent dual participation. The local agency shall verify the applicant name, address, date of birth, and any other pertinent information. The local agency shall ensure that the applicant has read or will be read the following required statement on the application form:

Pursuit of Claim Against a Participant

If a participant improperly receives or uses CSFP benefits through fraud, the local agency is required to initiate a claim against the participant and recover the value of improperly received CSFP USDA Foods.

Pursuing a claim against a participant to recover the value of CSFP USDA Foods improperly received or used is cost effective when the value exceeds \$100.00. The local agency must:

- Issue the Notice of Adverse Action requesting repayment for the value of the USDA foods improperly receive or used;
- If repayment is not made in a timely manner, take additional collection attempts; and
- Maintain all records regarding claims actions taken against participants for a minimum of 3 years

Storing and Distribution of USDA Foods

OCS is responsible for multi-food ordering through the USDA Web Based Supply Chain Management system. OCS will work with local agencies to determine the appropriate number of cases to order for based on current inventory and caseload.

Local agencies shall provide storage facilities for USDA Foods that protects from theft, spoilage, damage, destruction, and other loss. Storage facilities must maintain donated foods in sanitary conditions, at the proper temperature and humidity, with adequate air circulation. Storage facilities must comply with all Federal and State requirements in accordance to food safety and health.

Once the USDA Foods are delivered to the local agency, the proper number of cases delivered must be verified to the Bill of Lading (BOL) provided by the delivery company. The local agency shall indicate if there are any damages to the delivery and if there are additional or missing cases

on the BOL. The signed and dated BOL must be submitted to OCS and the USDA shipping company within one (1) day of receipt of the delivery.

Pallets shall be stored in an order to ensure the first-in, first out (FIFO) method when possible, and must be kept separate from other USDA Foods or commodities donated by the public for general distribution. A separate inventory record of donated foods must be maintained for CSFP commodities. CSFP inventory may not exceed a three-month period.

If it is determined that out-of-condition USDA foods are in storage, the local agency shall inform OCS as soon as possible. The local agency shall remove, destroy, or otherwise dispose the out-of-condition USDA foods, in accordance with FNS instructions and local requirements pertaining to food safety and health.

Before distribution occurs, local agency staff and volunteers shall pack USDA foods according to package guides provided by USDA. The local agency shall distribute CSFP benefits to distribution sites once a month.

At distribution sites, participants shall be serviced on a first-come, first-served basis. Initially, each participant will be required to show a form of identification to the local agency for verification of CSFP benefits. Once verified, each participant will sign, affirming that they have received one package of CSFP benefits.

On a monthly basis, the local agency shall submit Form FNS-153 for inventory management and for distribution rates.

On a quarterly basis, the local agency shall conduct a physical inventory and submit to OCS a physical inventory report.

On an annual basis, the local agency shall conduct a physical inventory at each storage and distribution site, where USDA foods are stored. The physical inventory must then be reconciled with physical and book inventory. The reconciliation report shall be submitted to OCS on an annual basis by October 31. As needed, OCS may request a physical inventory report.

Food Recall

Local Agencies must follow all applicable Federal, State or local requirements for foods subject to a food recall. In the event of a recall, OCS will notify the local agency. The local agency must remove, destroy or otherwise dispose of, in accordance with FNS instruction and State or local requirements pertaining to food safety and health.

The local agency also needs to keep track of any distributed food recall on USDA Foods. The local agency will need to keep a master list of the commodity that should include number received, number issued, number in inventory and the locations of where the recalled commodity was distributed.

If the USDA Foods were distributed, the local agency will need to notify the participants that 1) they should refrain from eating the recalled USDA Foods, and 2) dispose of the recalled USDA Foods. Notifications may be done via word of mouth or fliers and signs at the distribution sites.

Nutrition Education

Local agencies shall make nutrition education materials available to all program participants on a quarterly basis with their CSFP USDA Foods in the form of a flyer, newsletter, or handout. Nutrition education shall include the:

- Nutritional value of CSFP USDA Foods, and their relationship to the overall dietary needs of the service population;
- Nutritious way to use CSFP USDA Foods;
- Special nutritional needs of the participants and how needs may be met;
- Importance of health care, and the role nutrition plays in maintaining good health; and
- Importance of the use of the foods by participants to whom they are distributed, and not by another person.

Public Notification

The purpose of the public notification is to inform applicants, participants, and potentially eligible persons of:

- Program availability;
- Program rights and responsibilities;
- The policy of nondiscrimination; and
- The procedure for filing a complaint.

The local agency and the ERA must:

- Make program information available to the public upon request;
- Prominently display the “And Justice for All” poster (provided by FNS);
- Inform potentially eligible persons, applicants, participants and organizations of programs or changes in programs;
- Convey the message of equal opportunity in all photos and other graphics that are used to provide program or program-related information; and
- Provide appropriate information in alternative formats for persons with disabilities and in the appropriate language(s) for LEP persons.

Record Keeping

OCS and the local agency must continue to follow record keeping requirements in accordance with current program regulations for CSFP and 7 CFR 250.19. Such requirements extend to the maintenance of records of beneficiary protections at 7 CFR 16. All records must be maintained for a period of 3 years from the close of the fiscal year to which they pertain.

Monitoring

OCS will perform an on-site review of all local agencies and their storage facilities at least once every two years.³ As part of the on-site review, OCS will evaluate all aspects of program administration, including certification procedures, nutrition education, civil rights compliance, food storage practices, inventory controls, and financial management systems.

Termination of Agency Participation

Specific actions and procedures relating to program termination are more fully described in 2 CFR part 200, subpart D, and USDA implementing regulations 2 CFR parts 400 and 415. OCS may terminate the local agency's participation in CSFP or may be required to terminate the local agency's participation, in whole or in part, if the local agency does not comply with the requirements of this part. OCS must notify the local agency in writing of the termination, the reason for the action, and the effective date, and must provide the local agency with an opportunity to appeal.

The local agency may terminate the program, in whole or in part, upon written notification to OCS, stating the reasons and effective date of the action. Either party must provide, at minimum, 30 days' written notice.

The local agency's program may also be terminated, in whole or in part, if both OCS and the local agency agree that the action would be in the best interest of the program. The two parties must agree upon the conditions of the termination, including the effective date.

³ Per 7 C.F.R. 247.34(a)

Attachments

Attachment 1

Attachment 2

Contracts

HFB OCS-CSFP-25-01

TFB OCS- CSFP-25-02

SUBMISSION OF THE STATE PLAN

This plan was reviewed and signed by the Governor's Designee: Mr. Rey Domingo, Executive Director, State of Hawaii Department of Labor and Industrial Relations, Office of Community Services.

2/27/25
Date

Rey Domingo
Rey Domingo, Executive Director

SUBMISSION OF THE STATE PLAN

This plan was reviewed and signed by the Governor's Designee: Mr. Rey Domingo, Executive Director, State of Hawaii Department of Labor and Industrial Relations, Office of Community Services.

Date

Rey Domingo, Executive Director