Food and Nutrition Service, USDA

§ 247.5 State and local agency responsibilities.

State and local agencies are responsible for administering the program in accordance with the provisions of this part, and with the provisions of part 250 of this chapter, as applicable. Although the State agency may delegate some responsibilities to another agency, the State agency is ultimately responsible for all aspects of program administration. The following is an outline of the major responsibilities of State and local agencies; it is not intended to be all-inclusive.

(a) What are the major responsibilities shared by State and local agencies? The major responsibilities shared by State and local agencies include:

(1) Entering into required agreements;
(2) Ordering commodities for distribution;
(3) Storing and distributing commodities;
(4) Establishing procedures for resolving complaints about commodities;
(5) Complying with civil rights requirements;
(6) Maintaining accurate and complete records; and
(7) Conducting program outreach.

(b) What are the major State agency responsibilities? The major responsibilities of State agencies include:

(1) Completing and submitting the State Plan;
(2) Selecting local agencies to administer the program in local areas of the State;
(3) Determining caseload needs, and submitting caseload requests to FNS;
(4) Assigning caseload, and allocating administrative funds, to local agencies;
(5) Establishing eligibility requirements, in accordance with the options provided to the State agency under §247.9. (This function may not be delegated to another agency);
(6) Establishing nutritional risk criteria and a residency requirement for participants, if such criteria are to be used;

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§ 247.6 State Plan.

(a) What is the State Plan? The State Plan is a document that describes how the State agency will operate CSFP and the caseload needed to serve eligible applicants. The State agency must submit the State Plan 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. The State Plan may be submitted in the format provided in FNS guidance, in an alternate format, or in combination with other documents required by Federal regulations. The State agency is encouraged to collaborate with the State WIC agency in developing the State Plan, for example, in developing plans for serving women, infants, and children, program outreach, and nutrition education. (Collaboration with the State WIC agency is required in preventing and detecting dual participation.) The State Plan must be signed by the State agency official responsible for program administration. A copy of the State Plan must be kept on file at the State agency for public inspection.

(b) When must the State Plan be submitted? The State Plan must be submitted by August 15 to take effect for the fiscal year beginning in the following October. FNS will provide notification of the approval or disapproval of the State Plan within 30 days of receipt, and will notify the State agency within 15 days of receipt if additional information is needed. Disapproval of the Plan will include a reason for the disapproval. Approval of the Plan is a prerequisite to the assignment of caseload and allocation of administrative funds, but does not ensure that caseload and funds will be provided.

(c) What must be included in the State Plan? The State Plan must include:

1. The names and addresses of all local agencies and subdistributing agencies with which the State agency has entered into agreement;
2. The income eligibility standards to be used for women, infants, and children, and the options to be used relating to income or other eligibility requirements, as provided under §247.9;
3. The income eligibility standards to be used for women, infants, and children, and the options to be used relating to income or other eligibility requirements, as provided under §247.9;