



Iowa Department of Human Services

The Emergency Food Assistance Program Provider Manual

FFY 2016

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Acronyms

BIUB – Best if used by

CFR – Code of Federal Regulations

DHS – Iowa Department of Human Services

FNS – Food and Nutrition Services

TEFAP – The Emergency Food Assistance Program

USDA – United States Department of Agriculture

Introduction

TEFAP is a federal program that helps supplement the diets of low-income recipients by providing them with emergency food and nutrition assistance at no cost. To distribute TEFAP foods to eligible participants, DHS contracts with the eight food banks that make up the Food Bank Association. The food banks then contract with pantries, soup kitchens and shelters to distribute foods (referred to as sub-recipient agencies throughout this manual).

Food banks and sub-recipient agencies are not required to participate in TEFAP. By choosing to participate, food banks and sub-recipient agencies agree to operate their program in compliance with the rules established by the USDA and the state of Iowa.

This handbook provides the standard set of procedures and guidelines to deliver services under TEFAP based in part on federal regulations found in Code of Federal Regulations, Title 7, 250 and 251.

Program contacts

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Sharepoint	Forms, funding information, orders, provider manual, shared documents		https://www.sp.dhs.state.ia.us/_layouts/DHSLogin.aspx?ReturnUrl=%2fFoodAssistanceET%2fdefault.aspx

Sharepoint

Overview

The sharepoint is available at:

https://www.sp.dhs.state.ia.us/_layouts/DHSLogin.aspx?ReturnUrl=%2fFoodAssistanceET%2fdefault.aspx

The sharepoint houses all of the forms and trainings referenced in the handbook along with meeting notes, financial information, order forms, etc. The sharepoint provides all information necessary to deliver USDA foods through TEFAP.

Access

Only food bank and DHS staff will have access to sharepoint. Food banks are responsible to provide all agencies with the most current information and forms at all times.

To request access, send an email to the program manager including the name, title and email of the person requesting sharepoint access. Access is usually granted within 72 hours of the request.

The food bank is responsible to ensure only current employees have access to the sharepoint and must notify the program manager with any access removals.

Contact the program manager to have your password reset.

Administration

Contracts

The state of Iowa contracts with the following eight food banks that make up the Iowa Food Bank Association to distribute TEFAP foods:

Food Bank	Location
Food Bank for the Heartland	Omaha, NE
Food Bank of Iowa	Des Moines, IA
Food Bank of Siouxland	Sioux City, IA
Food Bank of Southern Iowa	Ottumwa, IA
HACAP Food Reservoir	Hiawatha, IA
Northeast Iowa Food Bank	Waterloo, IA
River Bend Food Bank	Davenport, IA
St. Stephen's Food Bank	Dubuque, IA

The following items must be provided to TEFAP program manager annually by the 1st of September:

- Blank copy of the current agreement between the food bank and sub-recipient agencies (even if no changes have occurred).
- Excel list of partner agencies. A blank excel form of required fields is located on the sharepoint.
- Civil Rights training verification for food bank staff.
- Annual audit if the food bank receives \$500,000 or more in federal funds for all programs.
- Insurance verification (see contract for requirements).
- Documentation IRS tax-exempt status for sub-recipient agencies has been verified.

Note: In the event of a contract renewal year, contracts will not be signed until the information is provided.

Coordinating and collaborating food banks

The Food Bank of Iowa (FBOI) and the Northeast Iowa Food Bank (NEIFB) are the coordinating food banks for TEFAP. These banks are responsible for the ordering, receipting and temporary storage of USDA commodities.

FBOI is the coordinating agency for Food Bank of Southern Iowa, Food Bank of Siouxland and Food Bank for the Heartland and is known as the Des Moines region. NEIFB is the coordinating agency for River Bend Food Bank, St. Stephen's Food Bank and HACAP Food Reservoir and is known as the Waterloo region.

Orders must be based on the needs of all food banks' ability to distribute without waste. Communication must occur at least annually between coordinating and collaborating food banks to determine the amounts and types of foods each bank can reasonably distribute.

Agency partnerships

Each food bank contracts with sub-recipient agencies to distribute USDA foods to eligible households. To be an eligible agency for the distribution of commodities, the agency must meet the following criteria:

1. Is either:
 - a. Public, or
 - b. Private, possessing tax exempt status
2. Is not a penal institution
3. Provides food assistance:
 - a. Exclusively to needy persons for household consumption. This is determined by the use of the TEFAP eligibility form.
 - b. To predominantly needy persons when serving prepared meals.
4. Has entered into a signed agreement with the food bank.
5. Falls into one of the following categories:
 - a. Emergency Feeding Organization (includes soup kitchens, food banks and food pantries);
 - b. Charitable institutions (including hospitals and retirement homes);
 - c. Summer camps for children or child nutrition programs providing food service;
 - d. Nutrition projects operating under the Older Americans Act of 1965, including projects that operate congregate nutrition sites and projects that provide home-delivered meals, and
 - e. Disaster relief programs.

Food banks are responsible to ensure their sub-recipient agencies:

1. Meet the above criteria for an eligible agency.
2. Have a signed agreement with the food bank.
3. Complete civil rights trainings annually.
4. Retain their tax exempt status (this must be reviewed at least annually).
5. Understand the eligibility and distribution criteria for TEFAP.
6. Understand the difference between USDA and other foods.
7. Retain TEFAP documents for at least three years.

Agency agreements

The food banks' written agreement with their sub-recipient agencies must be updated when a change occurs and contain the following information:

1. Name and address of partner agency.
2. Donated commodities may not be sold, exchanged or otherwise disposed of. The agency is responsible for any improper distribution, use or damage caused by their fault or negligence.
3. The agreement may be terminated for cause by either party upon 30 days' notice.
4. The agency agrees to operate the program in accordance with the requirements of 7 CFR Part 251 and, as applicable 250.
5. Food safety guidelines, including:
 - a. USDA foods may not be distributed beyond their BIUB date.
 - b. Food storage requirements and temperatures.
 - c. USDA foods may not be re-packaged.
6. Compliance with civil rights.

Agency reviews

Both the department and food banks are required to complete agency reviews.

All reviews must be documented. When a corrective action is necessary, a response must be in writing and contain the following information:

- Date correction was made.
- Action completed to address the deficiency.
- When applicable, how the issue will keep from occurring again.

All corrective actions must be completed within 30 days unless alternative arrangements are approved by the program manager.

DHS reviews

DHS is required to annually review at least 25% of all eligible recipient agencies which have a signed agreement with the department, provided that each agency is reviewed at least once every four years.

The department is also required to annually review one-tenth or 20, whichever is fewer, of all eligible recipient agencies which receive TEFAP foods and/or administrative funds that have a sub-recipient agreement. These reviews will be conducted whenever possible when the agency is distributing foods and/or meals.

- At least half of these reviews will be based on the following risk-assessments:
 - ◆ Value of foods received
 - ◆ History of complaints/program violations
 - ◆ Length of time in TEFAP operation
 - ◆ Length of time since last review
 - ◆ Key staff turnover
- The other half of the annual reviews will be based on a random sampling whenever possible.

Food Bank Reviews

Food banks are required to annually monitor 50% of their agencies who distribute TEFAP. At minimum, reviews should include the following items:

- Eligibility
 - ◆ Use of the TEFAP form and self –attestation of eligibility factors, or
 - ◆ Agency is serving a predominantly needy population
- Food ordering procedures (able to distribute what is ordered)
- Storage and warehousing practices
- Inventory controls (first in, first out concept utilized. No “expired” USDA foods)
- Hours of operation posted
- Recordkeeping (TEFAP documents are available for past three years)
- Civil Rights (poster, verification of training, etc.)

Contact the program manager if you need assistance with review requirements.

Agency reviews must be documented and available upon request. All agencies must correct any deficiencies. If the food bank makes a decision to suspend an agency from receiving foods for violation of a TEFAP guideline, the program manager must be notified immediately.

Data collection

Each food bank must ensure all sub-recipient agencies are tracking how many participants are served for both foods distributed for home consumption and prepared meals.

These numbers should be reported no more frequently than monthly and no less than quarterly. These numbers should be reported to the department by the food banks either on the reimbursement form or email to the program manager.

Food ordering

Food product should be ordered in quantities food banks and their agency partners are able to distribute without waste. All foods should be provided to agencies no later than 30 days prior to the BIUB date. Food banks must contact the program manager if there are USDA foods in their warehouse within 21 days of the BIUB date.

There are two types of foods available for order through TEFAP, entitlement and bonus. Entitlement foods are purchased with the food dollars appropriated to the state. Bonus foods are available periodically at no cost.

Entitlement orders:

Each year DHS receives an allotment of food dollars. This amount is placed on the sharepoint to purchase entitlement foods. A catalog of available foods and their estimated costs is uploaded to the sharepoint by the 15th of each calendar month. Orders for entitlement foods are due on the sharepoint by the 1st of each month. DHS then places the order no later than the 10th of each month. Once each order is placed, an order status report is uploaded to the sharepoint. It is the responsibility of the coordinating food banks to ensure orders placed are within the entitlement allotment.

The actual price of the product is not known until the products are received. Once the products are received, DHS will adjust the sharepoint to reflect actual costs and update the amount of food dollars remaining to order. DHS will retain at least 5% of food purchasing funds available to account for price fluctuations. These funds may be released closer to the end of the calendar year.

Note: It is likely that orders will be placed by the coordinating banks beyond the contracted period with the department. Certain foods are available for purchase one time for the entire next year. If necessary, changes can be made to ensure accurate delivery of product.

Bonus Orders:

Bonus foods are available at no cost throughout the year. DHS receives notification that a particular bonus food is available and will send an email to the coordinating banks. Coordinating banks must notify DHS by the due date listed in the email if Iowa is unable to utilize our fair share of the bonus items. In the event Iowa cannot use their fair share, the product will be re-allocated elsewhere within our region. While there is no penalty for refusing bonus items, it is helpful to FNS if we provide a reason for our refusal (product does not move, too much, etc.).

With the exception of the initial email and refusal option, bonus orders are handled the same as entitlement orders. The only difference is the order will not count against entitlement food purchasing dollars.

Administrative payments

General

TEFAP includes administrative funding that is paid to the food banks by the department. The percentage allocation of administrative funds is the same as the food distribution allocation.

The annual amount of administrative payments are divided by 12 months and paid evenly each month. In the event there is additional administrative funds remaining at the end of the federal fiscal year, these funds will be distributed after September.

Once a signed, correctly completed form is received, DHS will issue payment within 60 days.

USDA reporting form

Located on the sharepoint in the monthly billings folder is the USDA reimbursement form and detailed instructions for completion.

This form is to be completed monthly and submitted to DHS through the sharepoint by the 20th of each month. These forms should be uploaded to each food bank's respective folder.

Food Distribution

General information

Food is distributed to each food bank based on counties and population served using a formula provided by Feeding America. The quantities and types of food delivered are limited to the prorated share of the state's total allocation. Exception: Bonus foods can be distributed at alternative rates based on agreement with all food banks.

The Des Moines region receives 62% of TEFAP commodities. The Waterloo region receives 38%. The current distribution formula is:

Des Moines Region	Percentage	Waterloo Region	Percentage
Food Bank of Iowa	36	Northeast Iowa Food Bank	15
Food Bank of Southern Iowa	10	HACAP Food Reservoir	11
Food Bank for the Heartland	8.5	River Bend Food Bank	9.5
Food Bank of Siouxland	7.5	St. Stephen's Food Bank	2.5
Total	62%	Total	38%

Foods should be distributed by both the food bank and sub-recipient agencies to ensure participants have at least 30 - 60 days to consume the food prior to the BIUB date.

Food distribution hierarchy

When there are not enough commodities to meet agency requests, commodities must be made available using the following hierarchy:

- First priority ~ Emergency feeding organizations (food pantries, meal sites, etc.)
- Second priority ~ Agencies which serve needy people, but do not relieve situations of emergency and distress.

Food distribution guidelines

The following guidelines apply to all food banks and sub-recipient agencies.

Costs

Food banks may charge a shared maintenance to their partner agencies for costs associated with the receipt and distribution of USDA commodities. This fee may not be in excess of four cents per gross pound for entitlement commodities or 14 cents per gross pound for bonus commodities. The amount of reimbursement received must be included on the monthly reimbursement form submitted monthly for payment.

Food banks may charge a reasonable delivery fee to sub-recipient agencies for the delivery of foods. The amount must be listed in the agency agreements.

Sub-recipient agencies may not charge a fee to participants for the receipt of foods.

Food Storage

Food banks must store USDA foods separately from other foods and clearly mark them as USDA.

Temperature requirements:

- Refrigerator foods must be stored between 35-40 degrees. Temperatures should never be outside of this range.
- Frozen foods must be stored at zero to negative 10 degrees
- Dry storage optimal temperatures are 50-70 degrees. Temperatures may never fall below 32 degrees and rarely exceed 70 degrees to preserve food quality.

All freezers, refrigerators and warehouse space must have a thermometer at all times. Sharing a thermometer between two appliances is not allowed.

A temperature log should be maintained. Food banks and/or sub-recipient agencies can be held liable for food loss due to neglect.

The “first in first out” concept must be utilized along with manufacturer’s use-by dates. Food banks must notify the program manager if any foods are in their warehouse within 21 days of the BIUB date.

Inventory of USDA foods should not exceed six months.

Non-food items must be stored separately from food.

Food must be at least four inches away from walls, six inches off the floor and two foot from the ceiling.

Storage areas should be kept clean.

A pest control system must be in place. Verification of pest control services may be required if there is evidence of pests.

Foods for household consumption

Examples of agencies that would be considered to provide foods for household consumption would be food pantries, transitional housing or shelter programs that offer TEFAP foods for residents to prepare their own meals. This includes housing programs who offer food only to residents of their facility to prepare themselves.

When space and time constraints allow, the state of Iowa strongly encourages choice pantries for participants instead of pre-packaged distribution.

The state of Iowa does not determine the amount of food sub-recipients distribute to participants. There is a food distribution guide located on the sharepoint which food banks may share with their agencies.

For a household to be eligible, they must be:

- ◆ A resident of Iowa, **and**
- ◆ At or below 185% of poverty, **or**
- ◆ A Food Assistance or **free/reduced lunch recipient**

Residency note: A household does not need a fixed address to meet residency requirements. For households who are homeless, it is sufficient for the participant to indicate they live in Iowa.

Income note: Income limits are updated annually on July 1.

TEFAP eligibility is **self-attested**. By signing form 470-5313, TEFAP Eligibility, participants are attesting to eligibility and are eligible to receive USDA foods.

To receive TEFAP foods, households must sign form 470-5313 annually. For subsequent visits to the pantry, the household or agency must document the household received TEFAP foods. How the sub-recipient agency decides to document subsequent visits by the household is not defined. The agency may choose the method that works best for them. Some examples include:

- Signing the back of their TEFAP form.
- Index cards where pantry visits are documented.
- Sign in sheets for each date the pantry is accessed.

Households may not be asked nor required to sign the first page of the eligibility form more than once per year. Note: This requirement is for each individual pantry. A household who utilizes more than one pantry will be required to sign the eligibility form annually at each pantry.

Pantries may not require additional information for participants to receive TEFAP foods. For example: If a pantry requires ID verification to utilize all pantry food, households who choose not (or who are unable) to provide ID must still be provided TEFAP foods at the **same rate** as participants who provide an ID. Agencies may require verification prior to making other products available to participants. However, it must be clear to the participant they can receive USDA foods without providing additional information. For this reason, it is critical agencies understand which products are USDA to ensure these regulations are followed.

Pantry operating days and hours must be clearly displayed.

Persons unable to visit a pantry:

Persons who are unable to visit the pantry (homebound, disabled, etc.) must be served by proxy when arrangements have been made. Eligibility for participants who are unable to visit the pantry must be determined the same as all other households.

- By proxy means the person who is unable to visit the pantry provides written documentation that another person is able to receive their foods for them.
- The agency must have a TEFAP form signed by the person unable to visit the pantry attesting to eligibility factors.

Delivery can be an option for those agencies that are able to do so, but is not required.

Prepared Meals:

Sites which serve prepared meals must be able to demonstrate to the food bank and department's satisfaction that they serve a predominantly needy population.

- Predominantly needy is defined as 51% of the participants served.
- Needy is defined as the receipt of food assistance or income at or below 185% of poverty.

Participants may not be asked to provide income information solely for the purpose of this demonstration; this includes having participants sign the TEFAP form.

The department does not define how an agency demonstrates predominantly needy. Some examples include:

- A group home has participant income information/verification for the purposes of program eligibility, example: Medicaid.
- A child care facility receives CACFP.
- The socioeconomic data of the area where the organization is located, or from which it draws its participants.

In the examples above, the sub-recipient agency would have records available for another purpose that would also demonstrate they serve a predominantly needy population. Note: A "group home" is a broad term that defines many types of facilities agencies may operate. Not all group homes will meet the eligibility criteria listed on page 6.

Demonstration by an agency of how they serve predominantly needy participants is required at initial partner agency application and all subsequent reviews.

For sub-recipient agencies whose population fluctuates and some months they serve predominantly needy and other months they do not, the department considers the numbers on an annual basis. Therefore as long as the agency is serving predominantly needy seven months of the year, they would be considered meeting regulations.

At least one member of the agency must be food safe certified. The food safety training required by Feeding America would meet this criteria.

Note: Shelter agencies may only provide prepared meals to the residents. They may not provide USDA foods to participants that they cook for themselves. This includes when a resident leaves the shelter for their own home.

Civil Rights

Overview

The Civil Rights Act of 1964 prohibits discrimination based on race, color, national origin, sex, age and/or disability in federally funded programs. TEFAP is funded by the federal government and must comply with all civil rights and non-discrimination laws. Immediately notify the program manager if the food bank (or a sub-recipient agency) receives a verbal or written civil rights complaint.

Training

Civil Rights training is required annually for people involved in all levels of the administration of TEFAP. The civil rights training for food bank staff is available on the sharepoint. Verification of annual civil rights training completion by all food bank staff is due to the program manager by August 31st each year.

Food banks are responsible to ensure all agencies who distribute USDA foods are trained in civil rights at orientation and annually thereafter. When training sub-recipient agencies, unless an alternative version has been approved, food banks must use sharepoint training. Verification of this training must be kept in agency files and available for review by DHS or FNS upon request.

Note: Volunteers who do not interact in any way with program applicants, participants and who do not handle personal information do not need civil rights training.

Participant notification

The “And Justice For All” poster must be prominently displayed in all eligible recipient agencies. Notify the program manager if you need additional posters. The poster should be printed in color and be 11x17 in size.

All printed materials used to market the program must have the following USDA non-discrimination statement included.

“The U.S Department of Agriculture prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual’s income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.)”

If the material is too small to permit the Full Statement to be included, the material will at a minimum include one of the following statements, in print no smaller than the text:

- “This institution is an equal opportunity provider” or
- “TEFAP is an equal opportunity provider”.

Compliance in practice

- Conduct outreach to under-represented communities by ensuring participants are aware of services available.
- Accommodate persons with disabilities
- Reduce language barriers for people with limited English proficiency (LEP).

Outreach/Marketing

TEFAP encourages notices in local media, posters, pamphlets and websites to ensure potential participants are aware of the program, services provided and hours of operations. Agencies are responsible for marketing and outreach.

Individuals are encouraged to apply for Food Assistance if they appear eligible. Providers are encouraged to refer participants to the DHS website to apply. <http://dhs.iowa.gov/> DHS cannot expedite Food Assistance applications for participants other than those who meet specific criteria. Providers should be aware that Food Assistance applications may take up to 30 days before a determination of eligibility is made.