

April 10, 2025
FD - 5-16-4

Ms. Nataly Montufar, USDA Food Commodity Programs Manager
Kansas Department for Children and Families
Economic Employment Services
555 South Kansas Avenue
Topeka, Kansas, 66603

Dear Ms. Montufar,

This constitutes approval of Kansas's amended State Plan for The Emergency Food Assistance Program (TEFAP), which was received in our office on March 10, 2025.

The State Plan amendment implemented several changes as a result of the Food Distribution Programs: Improving Access and Parity Final Rule, published on October 31, 2024. The revised State Plan increased the income eligibility guidelines for households to receive TEFAP foods for home consumption from 130 percent of the U.S. Federal Poverty Guidelines to 185 percent. Additionally, the plan was revised to state that self-declaration of the household member's county of residence and identity are to be used in Kansas. The revised plan also adds a requirement that electronic databases used for the program must be compliant with participant confidentiality requirements.

Unrelated to the final rule, the State Plan revision also clarifies the criteria for eligible recipient agencies to participate in TEFAP and updates the storage locations for TEFAP foods.

As a reminder, TEFAP State Plans are considered permanent in accordance with 7 CFR Part 251.6(b). Should changes occur in aspects of program administration that are described in the State Plan, please submit amendments for approval.

Sincerely,

JAMES CROSS
Division Director
Supplemental Nutrition Programs

cc: Sarah Van Straaten, Policy Coordination Assistant Director, Kansas DCF, Topeka, Kansas
Nichelle Adams, Economic Employment Services Program Collaboration Deputy Director,
Kansas DCF, Topeka, Kansas

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

The Emergency Food Assistance Program (TEFAP) State Distribution Plan

I. INTRODUCTION

The Department for Children and Families (DCF) has been designated by the Governor to implement The Emergency Food Assistance Program (TEFAP) in the State of Kansas. Under this authorization DCF has developed this Distribution Plan to outline and specify the major aspects of TEFAP operations in Kansas, including distributing food to eligible households for home consumption and providing meals in congregate settings for needy persons. The address of DCF, Economic and Employment Services (EES) is DCF Administration Bldg, 555 S Kansas Ave 4th Fl, Topeka, Kansas 66603.

II. PLAN OF OPERATION AND ADMINISTRATION

United States Department of Agriculture (USDA) foods will be received and stored at various locations throughout the state including Concordia, Kansas, Kansas City, Kansas and Wichita, Kansas.

- A. DCF does not utilize a priority system as all Eligible Recipient Agencies (ERA) distribution locations of TEFAP USDA foods are considered Emergency Feeding Organizations (EFO).
- B. Kansas has thirteen TEFAP Areas that are coordinated by either DCF staff and/or partnering agencies which coordinate the distribution of home consumption TEFAP food throughout multiple geographic areas. These provide TEFAP services in every county in Kansas. DCF Central Office will directly coordinate USDA food served in congregate meals throughout Kansas.
- C. EFO's are surveyed annually on the types of commodities preferred to meet the needs of the EFO's and their recipients based on the list of available foods. When the list of available foods is received from USDA, DCF will share it with the TEFAP coordinators who will then share it with their EFO's. Each EFO that chooses to participate in the survey will make their top 10 food choices. Surveys will be combined for a list of the top 10 most popular choices. Food orders will be placed keeping in mind the EFO's choices.

III.

D. USDA food will be distributed as follows:

1. Distribution of USDA food for home consumption to eligible recipients will be through mass distributions from EFOs. Distributions will be as follows:
 - a. Distributions will be made approximately six or more times per year.
 - b. Distributions will be frequent enough to generate interest.
 - c. Distributions will include a manageable number of food products for recipients.
2. Soup kitchens will be eligible as EFOs to receive USDA food monthly for congregate meals. These soup kitchens must serve the homeless and needy on a regular basis as an integral part of their program.

III. REQUIREMENTS FOR ELIGIBLE RECIPIENT AGENCIES

ERAs must meet the following criteria. The organization:

- A. Is public, or
- B. Is private, possessing tax exempt status pursuant to Final Rule, Sec. 251.5, and
- C. Provides food assistance exclusively to needy persons for household consumption, pursuant to the Kansas means test, or predominantly to needy persons in the form of prepared meals, and
- D. Has entered into an agreement with the State for the receipt of USDA foods and/or administrative funds, or receives USDA food and/or administrative funds under an agreement with another ERA which has signed an agreement with the State, and
- E. The organization must meet criteria for an emergency feeding organization as defined in 7 CRF 251.3

IV. RECIPIENT ELIGIBILITY

- A. To be eligible for USDA food for home consumption, households or individuals must meet the following requirements:
 - 1. Gross household income must be at or below the income guidelines of 185% of the Federal Poverty Level.
 - 2. Recipients must read the Declaratory Statement/Inventory Control Exhibit E and self-declare the following:
 - a. Gross income is at or below the limit of 185% of the Federal Poverty Level by household size, and
 - b. The household resides in the County they are receiving TEFAP. There is no time limitation for residency.
 - 3. Recipients must enter the number of persons in their household, and their County of Residence on Exhibit E.
 - 4. Recipients of public assistance programs for whom eligibility is based on income at or below 185% are automatically eligible to receive TEFAP food for home use. Qualifying programs include TANF Cash Assistance [Temporary Assistance for Needy Families), Food Assistance (also known as SNAP), Women Infant and Children (WIC), Low Income Energy Assistance Program (LIEAP), or Commodity Supplemental Food Program (CSFP).
- B. Persons or households who receive USDA food served in prepared meals are automatically eligible, without a needs test, for USDA foods used in the preparation of these meals.

OMB Control Number: 0584-0293, Expiration Date 07/31/2023

Attachment A – State Plan Amendment Request Template for The Emergency Food Assistance Program (TEFAP) Consistent with 7 CFR 251.6

Date Submitted:

State Agency:

State Agency Point of Contact (POC):

POC Email:

POC Phone Number:

Consistent with 7 CFR 251.6:

1. Provide a description of the proposed change, including a reference to the component of the State plan that will be updated. Please note that proposed changes to State plans must comply with all applicable Federal statute and regulations.
2. Provide a detailed description of why the change is being proposed.
3. Provide a description of the implications of the proposed change. Include details, if relevant, on the effects the change may have on program participants, the State agency, eligible recipient agencies (ERAs), and/or the operation of the program by the State agency or ERAs.
4. Is this change temporary or permanent?
 - a. If temporary, provide the start and expiration date of the change.

OMB Disclosure Statement: When TEFAP State agencies plan changes to their State Plans, they must submit amendments to their FNS Regional office for approval (7 CFR 251.6(b)). This is a mandatory collection of information and FNS will use the information to monitor and provide oversight to State agencies administering the program. The collection does not request personally identifiable information under the Privacy Act of 1974. According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to

respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0584-0293. The time required to complete this information collection is estimated to average 8 hours per response, including the time for reviewing instructions, gathering and providing the data needed, and completing, reviewing and submitting the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: U.S. Department of Agriculture, Food and Nutrition Service, Office of Policy Support, 1320 Braddock Place, 5th Floor, Alexandria, VA 22314. ATTN: PRA (0584-0293). Do not return the completed form to this address.