**Section 130.322 General Program and Provider Requirements**

a) Program Reports

1) The provider shall submit reports to the Department no later than 21 days after the end of each month.

2) The monthly report will include the following information:

A) a completed DHS 3121, Foodbank Monthly Report, containing a record of all commodities received and dispersed, the total number of households and meals served, beginning and ending inventory information and a statement of total net weight pounds of commodities distributed;

B) a copy of the USDA shipping notices and/or invoices from the Department contracted warehouse and trucking company; and

C) a completed DHS monthly expenditure report.

3) Further food deliveries or payments may not be made if the required reports are not submitted within the specified time frames.

b) Distribution

1) Selection of Distribution Sites

A) The provider shall have the right to enter into written subcontracts with distribution sites for the purpose of assisting in the distribution of foods received under this program. DHS reserves the right to approve all sites subcontracted for distribution of commodities.

B) The provider has responsibility for distributing commodities to the distribution site; monitoring distribution site activities for compliance with all applicable rules, regulations and policies; and training distribution site staff.

C) All agreements with distribution sites shall be in writing and a copy of the agreement shall be available for review by DHS.

D) The Department is to be notified immediately, in writing, of distribution site additions or cancellations. The Department reserves the right to exclude any distribution site from program participation.

2) Operating Hours

The provider will be required to submit to the Department the operating schedule for each distribution site in the program. Sites must be open a minimum of 2 hours weekly unless a specific exemption is granted to the site by the Department as a rural exemption.

3) Allocation Plan

A) The provider will provide each county in its service area the amount of USDA commodities as specified in the Department's monthly allocation notices.

B) The provider must have an allocation plan based upon objective service data to determine the amount of commodities that distribution sites within each county receive. Service data includes the number of households or individuals served in food pantries and the number of meals served in soup kitchens.

4) Public Outreach

The provider and its distribution sites must conduct public outreach activities throughout its jurisdiction that encourage participation and inform potential participants of the availability and hours of operation of the distribution site.

5) Recipient Eligibility

The provider must agree to adhere to the income eligibility guidelines as specified by the Department as a basis for the determination of eligible households.

6) Monitoring of Distribution Sites

A) The provider is responsible for program oversight of contracted distribution sites.

B) The provider must assure that commodities reach eligible households and individuals without waste or fraud.

C) All distribution sites under contract with the provider must be monitored at least once every two years by the provider.

7) Receipt, Storage and Delivery Specifications

A) The provider will assure that all commodities are held in a secure, adequate and proper storage facility prior to distribution.

B) The provider will comply with storage directives, fact sheets, and storage handbooks as compiled and issued by USDA, Rules and Regulations of the Illinois Department of Public Health, Division of Food and Drugs, and any specific directions of the Department.

C) The Department reserves the right to approve commodity distribution sites and storage facilities prior to awarding any contract and during the contract year.

c) Administrative Recordkeeping

1) The provider shall maintain accurate and complete books and records pertaining to the provider's operations.

2) The records shall include, but not be limited to, commodity receipts, disbursements, inventory controls, distribution site operations, provider operational expenses and documentation of expenditures incurred.

3) Distribution sites are responsible for collecting the names, addresses, and signatures of individuals receiving commodities and the client attestation of income eligibility.

4) Distribution sites must report the number of households served each month or the number of meals served each month, as applicable.

d) Department Monitoring

Representatives of the Department may perform periodoc monitoring reviews, during normal business hours, of the management practices, fiscal procedures or any other aspects of the operations of the provider and its distribution sites.

e) Liability

1) The provider shall be responsible for the safekeeping of commodities. This responsibility shall be limited to loss or damage caused by failure to provide proper storage, care and handling.

2) The provider shall be responsible for assuring that distribution sites provide proper handling, care and storage of commodities.

3) The provider will assume liability for loss of USDA donated foods caused by failure to provide proper storage, care or handling; theft; fire; and natural occurrences.

4) Losses at or above $100 must be immediately reported to the Department.

5) The provider may be financially responsible for the value of commodity losses.

f) The sale or other disposal of commodities into commercial channels is strictly prohibited.

g) Complaints

The provider shall maintain procedures for handling, investigating and resolving complaints. All complaints shall be immediately forwarded to the Department. The provider and all of its distribution sites further agree to cooperate fully with the Department in the investigation of all complaints received in connection with the distribution of commodities.

(Source: Added at 24 Ill. Reg. 13669, effective August 23, 2000)