

4-11

Secretary of State  
Certificate and Order for Filing  
**PERMANENT ADMINISTRATIVE RULES**

I certify that the attached copies\* are true, full and correct copies of the PERMANENT Rule(s) adopted on [April 11, 2008] by the  
Date prior to or same as filing date  
Oregon Housing and Community Services Department 813

Agency and Division Administrative Rules Chapter Number

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Rules Coordinator Address Telephone

to become effective [ upon filing ]. Rulemaking Notice was published in the [ January 2008 ] Oregon Bulletin.\*\*  
Date upon filing or later Month and Year

**RULE CAPTION**

Updates program name; clarifies eligible activities; requires annual report of program activities; sets records requirements

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

**RULEMAKING ACTION**

List each rule number separately (000-000-0000)

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

**ADOPT:**

**AMEND:**

813-250-0000; 813-250-0010; 813-250-0020; 813-250-0030; 813-250-0040

**REPEAL:**

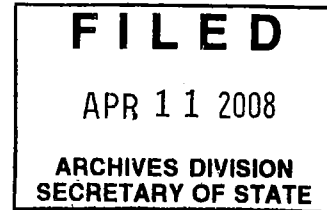
**RENUMBER:**

**AMEND & RENUMBER:**

Stat. Auth.: ORS 456.505 - 458.545

Other Auth.:

Stats. Implemented: ORS 456.505 - 458.545



**RULE SUMMARY**

813-250-0000 Updates the program name to General Fund Food program and clarifies the intent of the program.

813-250-0010 Clarifies the common definitions and terms found within the rules.

813-250-0020 Identifies the Oregon Food Bank (OFB) as the organization that will carry out the activities of the program. Designates the Regional Food Banks (RFBs) to carry out the activities at the local level. Adds additional provisions as part of the contract that RFBs will sign prior to receiving grant funds. Sets forth how the program funds may be used.

813-250-0030 Clarifies the eligible activities for use of the program funds.

813-250-0040 Requires the Oregon Food Bank to provide an annual report to the Department. Requires the Regional Food Banks to provide a quarterly report to the Oregon Food Bank in a specified format. Specifies the records retention requirements for records pertaining to program activities and fiscal transactions.

  4/11/08  
Authorized Signer Printed name Date

\*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules. \*\*The Oregon Bulletin is published the 1st of each month and updates rules found in the OAR Compilation. For publication in Bulletin, rule and notice filings must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, when filings are accepted until 5:00 pm on the preceding workday. ARC 930-2005

OHCS 4-2008

## **DIVISION 250 GENERAL FUND FOOD PROGRAM**

### **813-250-0000**

#### **Purpose and Objectives**

OAR chapter 813, division 250, is promulgated to accomplish the general purpose of ORS 485.505 to 458.545, specifically ORS 458.525 to 458.530. Oregon Housing and Community Services "department" have been designated as the state agency responsible for administering emergency food assistance programs in Oregon. OAR chapter 813, division 250, describes the General Fund Food Program, and authorizes the department to allocate funds for the statewide network of food banks and emergency food programs to acquire food and new food sources, build network capacities, and link emergency food clients to other services

Stat. Auth.: ORS 456.505 - ORS 458.545

Stats. Implemented: ORS 456.505 - ORS 458.545

### **813-250-0010**

#### **Definitions**

All words and terms used in OAR chapter 813, division 250, are defined in the Act, in OAR 813-005-0005 and 813-250-0010 and below. As used in OAR chapter 813, division 250, unless the context indicates otherwise:

- (1) "General Fund Food Program (GFFP)" means state funding established by the 1993 Oregon Legislature and in accordance with OAR chapter 813, division 250.
- (2) "Low Income Household" means a household with an income that does not exceed 185% of the federal poverty guideline.
- (3) "Oregon Food Bank (OFB)" means the private nonprofit organization designated by the Department to coordinate distribution of food in Oregon to Low Income Households.
- (4) "Regional Food Bank (RFB) " means any nonprofit agency that has subcontracted with the Oregon Food Bank to relieve situations of emergency and distress through provision of food under the GFFP to Emergency Food Organizations.
- (5) "Emergency Food Organization (EFO)" means a private, public, faith based, or non-profit organization (pantry) that is subcontracted with an RFB to relieve situations of emergency and distress through provision of food under the program to low-income households.
- (6) " Department" means Oregon Housing and Community Services Department (OHCS).

Stat. Auth.: ORS 456.555 & OL 1993 Ch. 725

Stats. Implemented: OL 1993 Ch. 725

### **813-250-0020**

#### **Administration**

(1) Prior to receiving grant funds, a RFB shall sign a contract with the OFB. That contract shall include, but not be limited to, provisions regarding the grant amount, conditions, effective date, terms of the contract, eligible services, fiscal and program report requirements as well as audit requirements. RFBs shall recommend to the OFB the guidelines for the uses and disbursement of GFFP funds.

(2) GFFP shall be used to supplement, not supplant, existing funds used in supporting the work of the emergency food assistance network and its member agencies.

(3) Under no circumstances shall individual recipients be required to make any payments in money, materials, or services for, or in connection with, the receipt of emergency food.

(4) OFB has been designated as the organization to carry out GFFP activities to the local level by subcontracting with RFB agencies to carry out GFFP activities. Stat. Auth.: ORS 456.555 & OL 1993 Ch. 725

Stats. Implemented: OL 1993 Ch. 725

### **813-250-0030**

#### **Eligible Activities**

(1) GFFP may be used for:

(a) Capacity building activities and equipment purchases to strengthen or expand the RFB/EFO infrastructure and local support to facilitate expansion of the food supply, including the transportation of commodities.

(b) Acquisition and distribution of food in bulk form that is repackaged for household use.

(c) Linkage grants to RFBs for outreach to under-served areas so that emergency food recipients can obtain needed nutrition education and other support services.

(2) OFB or a sub-recipient of the OFB, may utilize program award funds to pay for the reasonable administrative costs of the Program.

Stat. Auth.: ORS 456.555 & OL 1993 Ch. 725

Stats. Implemented: OL 1993 Ch. 725

### **813-250-0040**

#### **Fiscal Control/Reporting Requirements**

(1) The OFB and RFBs shall maintain records that document the use of program funds for linkage activities and the receipt and distribution of commodities purchased.

(2) Records of program activities and fiscal transactions shall be maintained by the OFB and RFB for a period of three years and shall be made available to the Department or its agents upon request.

(3) The OFB shall provide OHCS with an annual audit of GFFP activities and fiscal transactions within nine (9) months of the end of the fiscal audit period.

(4) The OFB shall provide OHCS with a year-end report of linkage projects carried out by RFBs and good acquisitions acquired by the OFB.

(5) RFBs shall report annually to the OFB regarding the type and amount of food purchased with GFFB funds.

Stat. Auth.: ORS 456.555 & OL 1993 Ch. 725

Stats. Implemented: OL 1993 Ch. 725