

II. Montana WIC Program State Agency Responsibilities:

- A. Ensure payment of any FMNP benefits submitted by the Farmer in a timely manner, if the Farmer meets all FMNP benefit redemption and submission requirements.
- B. Deny payment or seek restitution if the Farmer improperly redeems the FMNP benefit.
- C. Disqualify the Farmer in accordance with the abuse and sanction policy as set forth in the 2022 Montana WIC Farm Direct Handbook hereby made a part of this Agreement as if fully rewritten herein.

III. Montana WIC Program Local WIC Agency Responsibilities:

- A. Act as a liaison for the Montana WIC Program.
- B. Provide training to the Farmer on all required Farm Direct procedures.
- C. Monitor the Farmer for compliance with Farm Direct procedures at the request of the State WIC Office.
- D. Initially investigate any complaint made by or against the Farmer. Provide information to the State WIC Office for the determination of follow-up to the Farmer or WIC participant.

IV. General Conditions Include:

- A. Neither the Montana WIC Program nor the Farmer has an obligation to renew this Agreement.
- B. The Farmer has the right of appeal to the Department regarding denial of application to participate, imposing of a sanction or denied payment from the WIC Farm Direct Program. Expiration of a contract or agreement and claims action under Section 248.20 of the USDA Regulations are not subject to appeal; suspension or disqualification because of a Supplemental Nutrition Assistance Program (SNAP) suspension or disqualification cannot be appealed.
- C. The Farmer has sixty (60) days from the date of the denial of application, sanctioning or disqualification to request a fair hearing. All requested fair hearings will be conducted by Montana WIC/FMNP within three weeks of the date the Program receives the request for a hearing. See Fair Hearings section of the Farm Direct Handbook.
- D. This Agreement is not assignable or transferable.
- E. Signing of this Agreement signifies training has been completed and the Farmer, Local WIC Agency and the Montana WIC Program are aware of all responsibilities required to participate in the Montana WIC Farm Direct Program.
- F. The Farmer is accountable for the actions of employees and volunteers in the provision of foods and activities.
- G. The Department may disqualify the Farmer for WIC Farm Direct abuse upon written notification to the Farmer; Farmers who are suspended or disqualified from participation in, or have a civil monetary penalty imposed by the Supplemental Nutrition Assistance Program (SNAP), shall be automatically suspended or disqualified from the WIC Farm Direct Program. Certain suspensions/disqualifications from the WIC Program may result in suspension or disqualification from SNAP.
- H. A Farmer who commits fraud or abuse of the WIC Farm Direct Program is liable to prosecution under applicable federal, state or local laws.

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- I. The Department shall have the right to reimbursement from the Farmer of an amount equal in value to FMNP benefits deposited and paid upon, after the final notice of suspension or disqualification.

- J. In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability.

This Agreement is not effective until all required information is complete and the Agreement has been signed by both the Farmer and the Department.

Signature of Farmer:	Date:
Montana Department of Public Health & Human Services Representative:	Date:

Jamie Palagi, Administrator
Early Childhood and Family Support Division
406-444-6676

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

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