Adult Day Care

A Child and Adult Care Food Program Handbook

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Food and Nutrition Service
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Introduction

The adult day care component of the Child and Adult Care Food Program (CACFP) offers Federal funding for meals to adult day care centers. These centers enable elderly and disabled adults to remain in their own home or in the home of a family member, guardian, or other care giver, and avoid premature institutionalization. The CACFP plays a vital role in improving the quality of day care and making it more affordable for many low-income families. The Program provides meals and snacks to 112,000 adults who receive care in nonresidential adult day care centers.

The purpose of this handbook is to help adult day care centers and sponsors of these centers meet Federal requirements for meal reimbursement under CACFP. The handbook contains a wide range of information about the adult day care component of CACFP, including explanations of key aspects of the Program, Program resources, definitions of Program-related terminology, and information on additional programs for older adults.

Background

1948: Congress provided financial aid to the States in the operation of school lunch programs as permanent and integral parts of their school systems.

1968: Congress established the Special Food Service Program for Children to help provide meals for children when school was not in session. This was later separated into the Summer Food Service Program and the Child Care Food Program.

1987: The Older Americans Act Amendments authorized participation of eligible adult day care centers.

1989: The Program name was changed to the CACFP.

Who Administers the Program?

The United States Department of Agriculture (USDA), Food and Nutrition Service (FNS) administers CACFP at the national level. The National Office develops regulations and establishes policies necessary to carry out the Program. Regional Offices oversee participation by State agencies and provide technical assistance to States in administering the Program. The Code of Federal Regulations (CFR) at 7 Section 226 contains the CACFP regulation. State agency contact information can be found on the FNS website at: http://www.fns.usda.gov/cnd/Contacts/StateDirectory.htm

Each State administers and directs the Program through State health or aging agencies. Locally, adult day care centers that want to participate in CACFP and that are approved by the State agency to operate the Program, apply as either an independent center or enter into an agreement with a sponsoring organization that oversees Program administration. Independent centers receive meal reimbursements directly from the State, while sponsored

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adult day care centers receive Federal reimbursements through their sponsoring organization.

About this Guidance

This handbook addresses requirements that apply to adult day care centers participating in CACFP. This handbook provides information about:

- Eligibility;
- How to apply to participate in the Program;
- Meal patterns and food service requirements;
- Program reimbursements;
- Monitoring; and
- Recordkeeping.

Adult day care centers provide a much-needed service to their communities. They provide meals to older and disabled adults who wish to remain in their own communities and avoid costly institutionalization. FNS recognizes that maintaining a high-quality, nutritious meal service for older and disabled adults requires a commitment to excellence on the part of caregivers. FNS applauds the many dedicated persons who ensure that adult day care participants are served wholesome and nutritious meals in a sociable environment.

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Part 1. Eligibility Requirements

An adult day care center may participate in the adult day care component of CACFP as an independent center or sponsored center. This section will explain the eligibility requirements and the services the center must offer in order to be considered for participation in CACFP under either option of administration.

A. Program Eligibility

To be eligible to participate in the adult day care component of CACFP either independently or through a sponsoring organization; adult day care centers may be operated by public agencies, private nonprofit organizations, or certain for-profit organizations. A private organization is considered to be nonprofit if it has tax-exempt status under the Internal Revenue Code of 1986.

For-profit organizations are eligible to participate in CACFP if they receive compensation under Title XIX (Medicaid Program) and/or Title XX (Block Grants to States for Social Services) of the Social Security Act and at least 25 percent of enrolled participants receive Title XIX or Title XX benefits.

Each for-profit center must meet the 25 percent requirement every month and under at least one of these categories in order to be eligible to claim meals for that month. However, there is no requirement that an appropriately enrolled Program participant be in attendance, or participate in a meal, at any time during the claim month for that center to be determined eligible to claim that month [7 CFR 226.2; and 226.19a].

Once the center's eligibility has been established and approved, each participant's claiming status must be determined. See Part 3 for more information.

B. Center Eligibility

An adult day care center also must meet the following criteria in order to be eligible for reimbursement through CACFP for meals served to participants:

- Provide services to adults who are functionally impaired or over age 60;
- Provide community-based programs;
- Provide nonresidential services; and
- Be licensed or approved to provide adult day care services [7 CFR 226.2; 226.6(b)(1) and 226.19a].

Each of these requirements is discussed in greater detail below.

Provide Services to Adults who are Functionally Impaired or Over Age 60

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To be eligible to participate in the adult day care component of CACFP either as an independent center or through a sponsoring organization, an adult day care center must provide services to adults who are functionally impaired or over age 60.

Functionally impaired adults are defined as chronically impaired disabled person's age 18 years or older. This includes people who are physically or mentally impaired to the extent that their capacity for independence and their ability to carry out activities of daily living is markedly limited. Activities of daily living include, but are not limited to, activities such as cleaning, shopping, cooking, taking public transportation, maintaining a residence, caring appropriately for one's grooming or hygiene, using telephones and directories, or using a post office.

Marked limitations refer to the severity of impairment, and not the number of limited activities. They occur when the degree of the person's limitation seriously interferes with his or her ability to function independently [7 CFR 226.2, *Functionally Impaired*]. For purposes of determining CACFP eligibility, it is sufficient that an adult day care center is able to provide services for functionally impaired adults. It is not necessary that the majority of the clients receiving care in the center be functionally impaired.

Sheltered workshops, vocational or substance abuse rehabilitation centers, and social centers do not qualify as adult day care centers for purposes of CACFP participation, because they are not operated primarily to provide day care to elderly and disabled adults in order to avoid premature institutionalization.

Provide Community-Based Programs

For purposes of CACFP, an adult day care center is a licensed or approved center that provides a coordinated program in a community-based, nonresidential setting to enrolled participants who need supervised care in a safe place outside the home during the day.

Adult day care centers are required to provide an individual plan of care for each enrolled functionally impaired participant through a community-based group program. These plans demonstrate a center's ability to provide a variety of health, social, and supportive services for its enrolled participants.

> **Note:** For CACFP purposes, participating centers are not required to have an individual plan of care for participating adults 60 years of age or older who are not functionally impaired.

The individual plan of care is a written evaluation of a functionally impaired individual's health and social needs. It must include:

- The goals and objectives of the planned care;
- The activities that will be completed to achieve the goals and objectives;
- Recommendations for therapy;
- Referrals to and follow-up with other service providers as needed; and
- Provisions for periodic review and renewal.

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Once an initial assessment is completed, a plan can be developed to meet the participant's needs. The plan should include a daily schedule of individual and group activities aimed at providing both physical and mental stimulation to the functionally impaired participant. It must be a structured, comprehensive program that provides a variety of health, social, and related support services to enrolled functionally impaired participants [7 CFR 226.19a(b)(1)].

Nonresidential

The *primary* purpose of the adult day care component of CACFP is to provide reimbursement to eligible adult day care centers which provide nutritious meals to adults in day care [CACFP 20-2012 *Participant Eligibility in the Adult Day Care Component of the Child and Adult Care Food Program,* August 7, 2012].

Therefore, centers that provide residential care are not eligible to participate in CACFP with respect to those residential clients. This would include, but is not limited to, hospitals, nursing homes, residential centers for the mentally ill or for the mentally or physically handicapped, convalescent homes, apartment complexes designed only for functionally impaired individuals that provide meals and full-time care, and hospice programs.

However, centers that operate residential programs, but also provide nonresidential adult day care services may be eligible for participation with regard to the nonresidential participants [CACFP 21-2012 *Adult Day Care Center Eligibility and Licensing/Approval* dated August 7, 2012].

Licensed or State Approved

All centers participating in CACFP are required to have Federal, State, or local licensing or approval to care for functionally impaired adults. In the absence of such licensing or approval mechanisms, centers must demonstrate compliance with applicable State or local government standards or the CACFP standards set forth at 7 CFR 226.6(d)(3).

This provides an assurance that those in attendance at the center are receiving care in a safe and healthy environment approved by State or local officials. Rules and regulations for licensing or approval vary by State and locality. In some States, there is licensing that specifically governs care for the needs of the functionally impaired or the elderly; in other States, more generic licenses may govern care for older persons. Either is acceptable.

Approval is granted by a State agency or local agency that has the authority to determine which adult day care centers meet written standards or criteria. These standards may include requirements for staffing and available services, fire and safety standards, building layout, and maintenance requirements. These standards ensure that a safe and healthy environment is provided for center participants. In the absence of licensing standards, the State or local authority may grant alternate approval.

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Operation of a center by a State is considered State "approval". However, the center must clearly be a State center, funded by the State. This must be confirmed by a written assurance to the appropriate FNS Regional Office by a State official.

Receipt of Medicaid funds by an adult day care center also constitutes State approval for purposes of CACFP participation. However, the simple presence of public funding, State or Federal, in an adult day care center does not constitute full "approval". Centers receiving public funding, State or Federal, are required to implement a financial management system which can show that other public funding is being used to support CACFP meals only after the CACFP reimbursement has been exhausted. This will ensure CACFP funds are used for the food service and not re-directed to non-Program activities.

Tribal Operated Centers

Facilities operated by Tribes are not required to be licensed by the State. A Tribal center may participate in CACFP if it is licensed or approved by Tribal authorities; this would be considered a form of "local licensing or approval."

If no Tribal licensing or approval is available and the State cannot or will not license or approve a Tribal center, the center may be approved under either:

- The CACFP child care standards set forth in 7 CFR §226.6(d)(3);
- A system of State alternate approval administered by the CACFP State agency; or
- A system of local alternate approval administered by a local government entity and approved by the State agency [CACFP 18-2012: *Participation of Tribal Child Care,* July 24, 2012].

Additionally, adult day care centers purchasing meals from other than clearly commercial vendors must make a determination that the meals they are receiving are not also supported by another meal service program. Again, CACFP funds must be used for meal service expenses and if the center has access to other meal service funds, those should be used to augment the meal service to the degree that the CACFP reimbursement does not cover all expenses. We encourage such centers to preserve other public funding for services they administer outside the meal service and not allow such funding to interfere with the integrity of their CACFP claims [CACFP 21-2012 *Adult Day Care Center Eligibility and Licensing/ Approval,* August 7, 2012].

C. Questions and Answers

1. What is considered an adult day care center in CACFP?

Licensed or approved adult day care centers that are operated by public, private nonprofit organizations, and certain for-profit organizations may participate in CACFP, if they serve persons 60 years of age or older or chronically impaired disabled persons, 18 years of age or older. To be eligible, a center must be nonresidential and provide a community-based program. These programs should be structured, comprehensive, and provide health and social support services to enrolled participants. Facilities that simply provide social or rehabilitative services to adults do not qualify for participation in CACFP.

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2. **Can senior citizens who live in institutions participate in CACFP?**

   Individuals who reside in institutions are not eligible to participate in the Program.

3. **Can individuals residing in group homes participate in CACFP?**

   Yes. Houses in the community which may be subsidized by Federal, State or local funds but which are private residences housing an individual or a group of individuals who are primarily responsible for their own care but who may receive on-site monitoring, are not considered institutions. Therefore, individuals residing in such homes may be eligible to participate in CACFP when they attend an eligible day care center.

4. **Who receives the reimbursement for meals or snacks served in the CACFP?**

   Participating independent centers or sponsoring organizations receive cash reimbursement for meals or snacks served to adults under this Program. Sponsored facilities receive cash reimbursement through the sponsoring organization. All reimbursements are based on the number of meals served to enrolled participants in their care. Eligible individuals receive meals or snacks, not cash reimbursements.

5. **Can an individual receive CACFP meals outside of a participating center?**

   In CACFP, there are individual eligibility requirements as well as institutional requirements. Because this Program requires that meals and snacks are served through participating centers, individuals may not independently participate in CACFP.

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Part 2. Applying to Participate in the Program

This section provides information on the application process for participation in the adult day care component of CACFP by adult day care centers.

A. Applying as an Independent Center or a Sponsored Facility

Once an adult day care center has determined that it meets the Program eligibility requirements for participating in CACFP (see Part 1), it must determine if it will independently manage and administer the Program or if it will work with a sponsoring organization that administers the Program on its behalf.

Participating as an Independent Center

An *independent center* is an adult day care center that enters into an agreement with the State agency to assume final administrative and financial responsibility for the Program operations [7 CFR 226.2, *Independent center*].

If an adult day care center chooses to participate as an independent center it must be willing and able to undertake the following administrative responsibilities:

- Accept final administrative and financial responsibility for operating the food service at the center;
- Prepare and submit an application for participation;
- Ensure that meals served meet the meal pattern requirements;
- Comply with requirements related to the financial aspects of the Program;
- Provide adequate supervisory and operational personnel for managing and operating the Program;
- Establish procedures to collect and maintain all necessary Program records;
- Ensure proper storage and use of USDA Foods; and
- If it is a for-profit independent center, not claim reimbursement for any month when less than 25 percent of the enrolled participants are Title XIX or Title XX beneficiaries [7 CFR 226.19a(b)6].

Although there are certain kinds of information necessary for approval to participate in the Program, applications and other forms are developed individually by each State agency. The following describes some of the forms that may need to be completed by independent centers.

- **Application for Participation for Independent Centers.** Typically, State agencies request information about public and nonprofit status, the type of center, licensing, planned meal service, administrative and food service budgets, eligibility status of enrolled participants, staffing patterns, and whether the State agency offers funds in advance of reimbursement payments to assist centers in meeting expenses while waiting for reimbursements.

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- **Agreement between Independent Centers and State Agencies.** This document indicates the responsibilities of the independent center and the State agency. This agreement is permanent, but may be terminated by either party.

- **Policy Statement.** Each independent center must submit a written policy statement to the State agency for approval. The policy statement specifies the operating procedures and practices for the service of free and reduced-price meals. Approval for participation in the Program cannot be granted unless this policy statement is approved by the State agency.

All requested forms and information must be submitted to the State agency and must be signed by the person authorized to assume legal responsibility for the CACFP, or the person to whom this authority has been delegated, such as the chairman of a board of directors, or a public official. If a delegated person signs the form, a letter stating this delegation of authority must be provided with the application.

B. Participating as a Sponsored Center

If an adult day care center will not be assuming administrative responsibilities for CACFP, either because it chooses not to or because it is not capable of doing so, it may participate in CACFP under a sponsoring organization. Adult day care centers that choose to work with a sponsoring organization apply to the Program directly through the sponsoring organization. Contact information of sponsoring organizations currently overseeing the participation of adult day care centers in CACFP may be obtained by contacting the CACFP State agency for the State in which the center is located.

The following describes the two main types of forms that will need to be completed by sponsored facilities and submitted to their sponsoring organization:

- **Application.** The application to participate varies according to different States and sponsoring organizations but will require the center to submit information used to assess its eligibility to participate in CACFP. This would include current licensing or approval status and information to demonstrate a for-profit center's enrollment meets the 25 percent requirement.

- **Agreement between the Sponsoring Organization and the Sponsored Center.** This outlines the responsibilities of the center and the sponsoring organization. This agreement is permanent, but may be terminated by either party. Separate agreements are required for each sponsored center.

Participating as a Sponsoring Organization

A *sponsoring organization* assumes administrative and financial responsibilities for the operation of the CACFP within an adult day care center participating in the Program [7 CFR 226.2, *Sponsoring organization*].

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The sponsoring organization must be willing and able to undertake the following administrative requirements:

- Accept final administrative and financial responsibility for operating the food service in any sponsored centers;
- Prepare and submit applications for participation for itself and for facilities under its sponsorship;
- Provide training and technical assistance to sponsored centers;
- Ensure that meals served meet the meal pattern requirements;
- Comply with requirements related to the financial aspects of the Program;
- Comply with the three performance standards ensuring that it is financially *viable*, administratively *capable* of operating the Program and can demonstrate fiscal *accountability*;
- Make payments of Program funds to sponsored centers within five working days of receipt from the State agency;
- Provide adequate supervisory and operational personnel for managing and monitoring the Program;
- Establish procedures to collect and maintain all necessary Program records;
- Ensure proper storage and use of donated USDA Foods; and
- If it is a sponsoring organization of for-profit adult day care centers, not claim reimbursement for any month when less than 25 percent of the enrolled participants are Title XIX or Title XX. This threshold must be met by each center.

The following describes some of the information that may need to be provided by those applying to participate as sponsoring organizations:

- **Application for Participation and Management Plan for Sponsoring Organizations.** The State agency typically requests information about planned meal service, administrative and food service budgets, eligibility status of enrolled participants, staffing patterns, and advance payments. The Management Plan includes information about training, reviewing the facilities, and distributing reimbursements to the sponsored facilities for the meals served.

- **Agreement between Sponsoring Organizations and State Agencies.** This agreement indicates the responsibilities of the sponsor and the State agency.

Remember

Sponsoring organizations which have public or nonprofit status may sponsor public or nonprofit centers that have no legal relationship with the sponsor; however, for-profit sponsoring organizations may sponsor only those centers which are a legal unit of the sponsoring organization.

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- **Agreement between Sponsoring Organizations and Centers.** This agreement indicates the rights and responsibilities of each sponsored center and its sponsoring organizations. Separate agreements are required for each sponsored center. The State agency can provide a prototype for use by the sponsoring organization with its centers, or will provide technical assistance and approval for one developed by the sponsoring organization. Contact your State agency for more information on its required or provided forms.

- **Policy Statement.** Each sponsoring organization must submit a written policy statement to the State agency for approval. The policy statement specifies the operating procedures and practices for the service of free and reduced-price meals. It includes the use of the current family size and Income Eligibility Guidelines and the assurance that no participant will be discriminated against during the course of the food service. Approval for participation in the Program cannot be granted unless this policy statement is approved by the State agency.

All forms submitted to the State agency must be signed by the person authorized to assume legal responsibility for the CACFP, or the person to whom this authority has been delegated, such as the chairman of a board of directors, or a public official. To ensure Program integrity, if a delegated person signs the form, a letter must be provided stating this delegation of authority with the application.

Also reference the *Guidance for Management Plans and Budgets CACFP Handbook* via the link in Part 9 of this handbook.

C. Documents to Accompany an Application for Independent Centers and Sponsoring Organizations

To participate in the Program, institutions must submit to their State agency an initial application that includes all of the following required information necessary for approval:

- **Nondiscrimination Statement**

  All participating institutions must submit a nondiscrimination policy statement and a media release unless the State agency has issued a statewide media release on behalf of all institutions [7 CFR 226.6(b)].

- **Documentation of tax-exempt status**

  All private nonprofit institutions must provide documentation of their tax-exempt status under the Internal Revenue Code of 1986 [7 CFR 226.6(b)].

- **Preference for USDA Foods or cash-in-lieu of USDA Foods**

  The USDA donates food to States and States make those foods available to institutions. Institutions must indicate in their application if they prefer USDA Foods or cash-in-lieu of USDA Foods. Each year, State agencies must provide

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institutions with information about foods that will be available that year. This information is provided to the State agency by FNS [7 CFR 226.6(h)].

- **Providing Benefits to Underserved Centers or Participants**

  Institutions must show documentation indicating that they meet their State's criteria for ensuring delivery of benefits to otherwise underserved centers or participants [7 CFR 226.6(b)(1)].

- **Budget Planning**

  It is important to be able to estimate the cost of operating the adult care component of the CACFP, and to know the approximate amount of reimbursement that the State agency will provide. Estimating reimbursement can be an effective management tool for food service operations, menu planning, and staffing. To estimate reimbursement, independent centers and sponsors need to know:

  - The number of meals served by type (breakfast, lunch, supper or snack) and eligibility category, and if reimbursement is calculated based on the eligibility category, the actual number of meals served to participants eligible for free, reduced price, and paid meals;
  - The current rates of reimbursement; and
  - The actual or estimated monthly or annual administrative costs of operating the Program.

  Note: Applicant independent centers and sponsoring organizations should refer to the *Guidance for Management Plans and Budgets CACFP Handbook* for details of these requirements.

- **Ineligibility for other Publicly Funded Programs**

  If an institution or any of its principals are included on the CACFP National Disqualified List (NDL) or have been declared ineligible for any other publicly funded program for violating that program's requirements, State agencies must deny their application. So that State agencies can make this determination, institutions must submit:

  - A statement listing the publicly funded programs in which the institution and its principals have participated during the past seven years; and
  - A certification that during the last seven years, neither the institution nor its principals have been declared ineligible to participate in any other publicly funded program by reason of violating that program's requirements; or

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- Instead of certification, an institution may provide documentation that it was later reinstated or determined eligible for the program, including the payment of any debts owed.

Information on Criminal Convictions

If an institution or any of its principals have been convicted of any activity related to lack of business integrity in the past seven years, a State agency may not approve the application. A lack of business integrity includes fraud, antitrust violations, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, obstruction of justice, or any other related activity as defined by the State.

Certification of Truth in Application and Submission of Names and Address

Institutions must certify that all information on the application is true and correct, along with the names, mailing addresses, and dates of birth of the institution's Executive Director and Chairman of the Board of Directors. Owners must sign on behalf of for-profit institutions if they do not have a Board.

Compliance with Performance Standards

An applying institution must demonstrate that it can comply with the following performance standards.

- Financial viability and financial management

  1. Institutions must document that participation will help ensure the delivery of benefits to otherwise underserved centers or participants.

  2. Institutions must demonstrate that they have the financial resources to operate the Program on a daily basis and enough sources of funds to withstand temporary interruptions in Program payments and/or fiscal claims against the center.

  3. Costs in the budget must be necessary, reasonable, allowable, and appropriately documented.

- Administrative capability

  Institutions must have an adequate number and type of qualified staff.

- Program accountability

  1. Nonprofit institutions must have adequate oversight by an independent governing board of directors.

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2. The institution must have a financial system with management controls in writing. Written policies must ensure:

    a) Fiscal integrity and accountability for all funds and property received, held, and disbursed;

    b) Integrity and accountability of all expenses incurred;

    c) That all claims will be processed accurately, and in a timely manner;

    d) That funds and property are safeguarded and used, and expenses incurred, for authorized Program purposes; and

    e) That a system of safeguards and controls is in place to prevent and detect improper claims or financial activities by employees.

3. Institutions must maintain records to document compliance with Program requirements, including budgets, accounting records, approved budget amendments, and for sponsoring organizations, management plans.

Additional Required Information Necessary for Approval of Sponsoring Organizations

- **Management Plan**

  A management plan must be submitted that includes:

  - Detailed information on the sponsoring organization's management and administrative structure;

  - An administrative budget that includes projected CACFP administrative earnings and expenses and demonstrates the institution's ability to manage Program funds;

    - Sponsoring organizations' budgets may not have administrative costs higher than 15 percent of the current fiscal year's estimated meal reimbursements. States may waive this limit, but waivers should only be granted if the sponsoring organization provides justification that it needs Program funds in excess of 15 percent, and the State agency is convinced that the institution will have adequate funding to provide high quality, nutritious meals and snacks [7 CFR 226.7(g)].

  - A list or description of the staff assigned to monitor the Program; and

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- The procedures that the institution will use to administer the Program and that sponsoring organizations will use to disburse payments to sponsored adult day care centers [7 CFR 226.6(b)].

Outside Employment Policy

Sponsors must submit an outside employment policy restricting other employment by employees that interferes with an employee's performance of Program duties and responsibilities or that may indicate a conflict of interest.

Bond

Sponsoring organizations must submit a bond, if required by State law, regulation, or policy.

Compliance with Performance Standards

- Administrative capability

  1. Sponsoring organizations must employ enough staff to meet the monitoring requirements (one full-time staff person for each 25-150 centers it sponsors) [7 CFR 226.16(b)(1)].

  2. Institutions must have written policies and procedures that assign responsibilities and duties, and ensure compliance with civil rights requirements.

- Program accountability

  1. Sponsoring organizations must document in their management plan that they will:

     a) Provide adequate and regular training of staff and sponsored centers;

     b) Perform monitoring to ensure centers are appropriately operating the Program; and

     c) Have a system in place to ensure that administrative costs funded from the Program do not exceed 15 percent of estimated or actual meal reimbursements.

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Requirements for all Independent and Sponsored Adult Day Care Centers

- **Documentation of Licensing/Approval**

  All centers must show that they meet State or local licensing requirements [7 CFR 226.19(b)(3)].

- **Compliance with Performance Standards**

  - Program accountability

    Independent centers and sponsored centers must have practices in place to ensure that the meal service, recordkeeping, and other Program requirements are performed properly. These practices must be documented in the application of independent centers or the sponsoring organization management plans and must document that they will:

    a) Provide meals that meet meal pattern requirements;

    b) Comply with any licensing and health and safety requirements;

    c) Have a food service that complies with applicable State and local health and sanitation requirements;

    d) Comply with civil rights requirements;

    e) Maintain complete and appropriate records on file; and

    f) Claim reimbursement for only eligible meals.

D. State Agency Review of Applications

The State agency must determine the eligibility of each independent adult day care center based on the information included in the application. State agencies must notify institutions in writing if they have been approved to participate in the Program within 30 days of receipt of a complete application [7 CFR 226.6(b)].

Application Approval

The State agency is required to notify applying institutions in writing of approval or disapproval within 30 calendar days after a complete and correct application is submitted. If the application is denied, this notification letter must include the reason for denial and information regarding the institution's right to appeal the disapproval. If the application is incomplete, the State agency should provide assistance to help the institution complete its application.

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Retroactive Approval

A State agency may develop a policy that allows independent centers to be reimbursed for meals that are served in accordance with Program provisions in the calendar month directly prior to the month that the agreement is executed. For example, if the State agency has this type of policy, an agreement that is executed on May 15 means that the center may be able to receive reimbursement dating back to April 1. However, the center may not receive a reimbursement until the agreement has actually been implemented, and proper records must have been maintained for the meals served and claimed for reimbursement [7 CFR 226.11(a)].

See Part 5 and Part 7 for further information on reimbursement and required records.

Application Denial

If an institution's application does not meet all of the requirements for participation in the CACFP, the State agency will deny the application. The institution will be given a chance to appeal this decision, but may also reapply at any time in the future after making any necessary changes to meet Program requirements.

During the review of the application from a newly-applying, the State agency may find that the institution has committed one or more serious deficiencies; such as, submitting false information or lacking business, the State agency will initiate action to:

- Deny the sponsor's application;
- Follow the appropriate notification procedures, including the institution's right to appeal and the process for appeal; and
- Disqualify the sponsoring organization and the responsible principals and responsible individuals (e.g., the person who signs the application).

The State agency also will give the institution the opportunity to take corrective action to fully and permanently correct the serious deficiency(ies) within the allotted time and to the State agency's satisfaction. If the institution has corrected the serious deficiency(ies), it will have the opportunity to resubmit its application. If timely corrective action is not taken, the institution will be notified by the State agency that its application has been denied and that the institution and its principals will be disqualified from participating in the Program and placed on the NDL. The institution will be given the opportunity to appeal this decision [7 CFR 226.6(c); 226.6(c)(1);226.15(b); and 226.16(b) and the *Serious Deficiency, Suspension, and Appeals CACFP Handbook*].

E. Permanent Agreements

Once the State agency has approved an institution's application, the State agency and the institution will enter into a permanent agreement. The agreement must describe the approved adult day care Program(s) and, in the case of a sponsoring organization, list the approved centers. The agreement also must require the institution to comply with applicable requirements and provide that the institution will accept final financial and administrative

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responsibility for the management of a proper, efficient, and effective food service [7 CFR 226.6(b)(3);(4)].

Although the agreement is permanent, it may be terminated by the institution at any time or for cause by the State agency if the institution does not comply with Program requirements [CACFP 07-2011, *Permanent Agreements in the Summer Food Service Program and the Child and Adult Care Food Program,* January 14, 2011].

F. Renewing Institutions

As a result of the passage of the Healthy, Hunger-Free Kids Act of 2010, renewing institutions are no longer required to submit renewal applications on a periodic basis. Instead, renewing institutions are required to annually provide:

- Updated licensing information for each independent center and sponsored center participating in CACFP (the State may choose to get this information directly from the State licensing agency);
- Certification that any information previously submitted to the State is current (a prototype certification form is provided);
- A budget for the upcoming year for sponsoring organizations, and, if required by the State agency, for independent centers; and
- A media release announcing the availability of meals and snacks at no charge to the institution's attendance area (unless the State chooses to issue a statewide media release).

G. Questions and Answers

1. What are considerations in deciding whether to apply as an independent or sponsored center?

One of the most important things to consider is the extent of your center's administrative capacities. An independent center must be willing and able to assume the final administrative and financial responsibility for the Program operations. An adult day care center may decide not to assume the administrative responsibilities for CACFP either because it chooses not to or because it is not capable of doing so. If the center needs a sponsoring organization, it can contact the CACFP State agency for contact information of sponsoring organizations in the State in which the center is located.

2. What does our center's application need to demonstrate?

Your center needs to document that it has financial viability and financial management capability, including the financial resources to operate the Program on a daily basis. You also need to demonstrate that you have an adequate qualified staff to support daily operations and provide the administrative capability. It is also essential that you have a financial system in place with management controls in writing so that you will be able to

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adequately maintain records to document compliance with Program requirements, including budgets, accounting records, approved budget amendments, and for sponsors, management plans.

3. **How does my center's participation in other publicly funded programs affect my application?**

   If your center has participated in other publicly funded programs, you will need to certify that, during the last seven years, neither your center nor its principals have been declared ineligible to participate in any other publicly funded program by reason of violating that program's requirements or, if you were declared ineligible, that you were later reinstated or determined eligible for the program, including payment of any debts owed. You will need to provide this documentation for all of the publicly funded programs you have participated in the last seven years.

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Part 3. Participant Eligibility for those Enrolled in an Approved Institution

In this chapter you will find information on:

- Meal categories;
- Determining eligibility for free and reduced price meals; and
- Income Eligibility Applications and their content.

To operate CACFP, independent centers and sponsoring organizations must determine each participant's eligibility for free, reduced-price, or paid meals. Reimbursements for the meals served to enrolled participants are based on the types of meals served and the number of participants eligible for free, reduced price, or paid meals. Documentation of each participant's eligibility must be maintained.

A. Categories of Meals

There are three different categories of meals in CACFP.

A **free meal** is a meal served to a participant whose household income is at or below the USDA's eligibility standards for free meals. A participant who is a member of a household receiving Supplemental Nutrition Assistance Program (SNAP) benefits, formerly food stamps), or who receives Supplemental Security Income (SSI) or Medicaid benefits, or participates in the Food Distribution Program on Indian Reservations (FDPIR) is also automatically eligible for a free meal. Independent centers and sponsors receive the highest reimbursement amount from the State agency for these types of meals served through CACFP.

A **reduced-price meal** is a meal served to a participant whose household income does not meet the requirements for free meals, but is at or below the eligibility standards for reduced-price meals according to the USDA's income eligibility guidelines. Independent centers and sponsors receive a lower reimbursement from the State agency for these types of meals served through CACFP.

A **paid meal** is a meal served to a participant whose household income does not meet the eligibility standards for free or reduced-price meals according to the USDA's income eligibility guidelines, or for whom no Income Eligibility Application has been filed. Independent centers and sponsors receive reimbursements from the State agency at the lower "paid" rate for these types of meals served through CACFP [7 CFR 226.2; 226.23].

B. Income Eligibility and Applications

Each year institutions must obtain and keep on file an income eligibility application that is completed and signed by the participant or guardian. The income eligibility application should collect the following information:

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- The names of all adults enrolled in care, for whom the application is made;
- The names of all other household members;
- Income received by each household member, identified by source of income (this includes gross earnings, wages, welfare, pensions, support payments, unemployment compensation, social security, cash income received or withdrawn from savings, investments, trusts and other resources; individual retirement account and Keogh withdrawals);

Household Income

Only the income of the participant, the spouse, and any dependent children who reside with the participant must be reported on the application. See more detail below.

- The signature of an adult household member that immediately follows a statement verifying that the information provided on the application is true and correct; and
- The last four digits of the social security number of the adult household member who signs the application, or an indication that he/she does not possess a social security number.

Categorical Eligibility

A participant who is a member of a SNAP household, or receives assistance under SSI or Medicaid, or who participates in the FDPIR is considered categorically eligible and may receive free meal Program benefits without providing household size and income information. The income eligibility form for these participants need only collect the following information:

- The name(s) and appropriate SNAP or FDPIR case number(s) for the participant(s), or the adult participant's SSI or Medicaid identification number; and
- The signature of an adult member of the household.

"Household," which is defined as "family" in the Program regulations for the adult component of CACFP, is slightly different than the definition used for child care institutions, centers, or day care homes. In the case of adult participants, it is the adult participant and the spouse and any dependents that reside with the adult participant. There may be instances in which a spouse or dependent does not live continuously with the participant. In that case, the spouse or dependent continues to be considered a part of the participant's family as long as his or her usual residence is with the participant.

However, functionally impaired adults living with their parents are considered a "family" separate from their parents for the purpose of determining family-size and income.

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C. Process for Determining Eligibility

Distribute Income Eligibility Applications

Individual eligibility information must be collected from all participants at least once each year. Institutions are required to distribute the income eligibility application along with a letter to households or guardians of enrolled participants. The accompanying letter should inform households of the procedures regarding eligibility for free and reduced-price meals. This letter must contain the following information:

- The income standards for free and reduced-price meals with an explanation for how participants may qualify for these meals based on these standards;
- Information regarding how a participant may apply for free or reduced-price meals;
- An explanation that free or reduced-price eligibility approval cannot be completed until proper documentation is returned to the institution;
- A civil rights statement explaining that no person in the Program will be discriminated against due to race, color, national origin, sex, age or disability;
- A statement that participants with household members that become unemployed are eligible for free or reduced-price meals during the period of unemployment if they meet the required income standards for Program benefits; and
- An explanation that the information included in the application may be verified at any point during the year, and procedures for the household to appeal a decision to deny, reduce, or terminate Program benefits.

Sample application forms and sample letters to the participant or guardian that explains the purpose and eligibility for free and reduced price benefits are included in Part 9 and FNS provides forms in a number of language translations for use by institutions [CACFP 25-2001 *Translations for the Free and Reduced Price School Meals Application and Child and Adult Care Food Program Meal Benefit Income Eligibility Form*, August 3, 2011].

If an enrollee is unable to complete an application, and no family member or guardian is available to assist, the center may, with the approval of the State agency, complete an application on the enrollee's behalf. If a participant is categorically eligible for free meals as described in above (See Categorical Eligibility in section B above), the participant's file must contain documentation of the basis of the categorical eligibility.

Collect Completed Applications and Determining Benefit Eligibility

When participants or their households return the income eligibility form, the independent center or sponsoring organization should calculate the household's total current gross income and compare

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it to the USDA's Income Eligibility Guidelines in order to determine the participant's eligibility category.

The income/household size standards for determining eligibility for free or reduced-price meals are the same as those used to determine eligibility for free or reduced-price meals under the National School Lunch and School Breakfast Programs. The State agency will make these income standards available to all independent centers or sponsoring organizations either currently participating or wishing to participate in the Program. The State agency can also provide additional guidance on determining the eligibility of an enrolled participant.

D. Pricing and Non-pricing Programs of Free and Reduced-Price Meals

Adult day care centers have options regarding the meal service Program they want to implement. Both are tied to the Program's free and reduced price meal policy; the options are called nonpricing and pricing Programs. The majority of centers participating in the Program operate nonpricing Programs though it is each center's choice as to which system it will use.

Nonpricing Programs are those in which no separate charge is made for the meals served to participants. If any funds are collected that support the food service, it is in the form of a general tuition charge that covers all areas of the day care services provided. No portion of tuition payments is specifically earmarked for food service, therefore, there is no separate charge for meals nor is money exchanged at meal time.

A policy statement must be developed that assures all participants are served the same meals at no separate charge regardless of race, color, national origin, sex, age, or disability and that there is no discrimination in the course of the food service. The State agency can provide guidance about the standard nonpricing policy statement [7 CFR 226.2; 226.23(c)].

Educational Activities

In some adult day care centers, as part of their individual plan of care, participants are given currency to act out paying for their meals as an educational exercise.

This is an effort to teach money handling skills as an activity of daily living. This is not considered a pricing Program.

Pricing Programs are those in which a participant who does not qualify for free meals is charged for any meals served. This may be a direct payment from the participant at the time the meal is served or it can be included as part of a tuition payment which is specifically earmarked for food service.

Independent centers or sponsoring organizations that charge separately for meals must develop a policy statement that:

- Identifies criteria used to determine eligibility for free and reduced-price meals;
- Identifies the method used to accept applications for free and reduced-price meals;

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- Identifies the method used to collect payments from participants paying the full or reduced-price of the meal that will maintain the individual's privacy concerning the payment amount;
- Provides for a hearing procedure for participants to appeal an eligibility determination at the time an application is taken and/or if it is chosen for verification of income and denied;
- Provides an assurance that there will be no overt identification of free and reduced-price meal recipients and no discrimination against any participant on the basis of race, color, national origin, sex, age, or disability; and
- Provides specific guidelines that must be followed concerning the charges that may be made for the meals.

For more specific guidance on pricing Programs, contact your State agency.

Notify Eligible Participants

If a completed application indicates that a household meets the eligibility criteria for free or reduced-price meals, the participants from that family will be considered eligible to receive meal benefits. Programs that have a separate charge to the participants for meals (referred to as pricing Programs) must promptly provide written notice to each family informing them of this eligibility.

Notify Ineligible Participants

When the information provided in a completed application indicates that a household does not meet the eligibility criteria for free or reduced-price meals in a pricing Program, the participants from that family must be notified that they have been denied free and reduced-price meal benefits in CACFP. At a minimum, this notice must include:

- The reason for the denial of benefits;
- Notification of the right to appeal;
- Instructions on how to appeal; and
- A statement reminding the household that they may reapply for free or reduced-price benefits at any time during the year.

E. Identification of Low-Income Participants

CACFP rules require that there is no obvious identification of participants eligible for free or reduced price meals so as not to cause any embarrassment to any participant. Therefore, the information on file on the free and reduced-price applications and the eligibility status of each participant is confidential.

Participant Confidentiality

It is important to maintain participant confidentiality in your Program operations. The enrollment status of individuals in the free and reduced-price meal program must be kept confidential.

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Programs that have a separate charge to the participant for meals must be careful not to identify those participants who are eligible for free or reduced-price meals at the time of collection or anytime during the actual meal service.

F. Media Release

In order to comply with the Program's free and reduced-price meal policy rules, independent centers and sponsoring organizations must annually issue a media release announcing their intention to operate a USDA funded food service program. This release must include:

- The USDA's current income eligibility guidelines for free and reduced-price meals; and
- A statement that it does not discriminate against any participant because of race, color, national origin, sex, age, or disability.

A copy of the media release along with any other information the center or sponsor wishes to include must be provided to one or more newspapers, magazines, or radio or television stations that serve the area. A copy of the release should be kept on file and one copy sent to the State agency. Whether or not the media uses the public release, the responsibility has been fulfilled when the release is sent [7 CFR 226.23(d); and FNS Instruction 113-1, *Civil Rights Compliance and Enforcement- Nutrition Programs and Activities,* November 8, 2005].

Media Release

The State agency may choose to issue a state-wide release on behalf of all its institutions.

Any brochures, news articles, or bulletins made available to the public should state that the Program is open to all participants regardless of race, color, national origin, sex, age, or disability. Part 9 of this handbook includes a copy of sample public releases that may be used for pricing and nonpricing Programs.

G. Questions and Answers

1. How does a participant's enrollment in other benefit programs affect their eligibility for free meals in CACFP?

A participant who is a member of a SNAP household, or receives assistance under SSI or Medicaid, or who participates in the FDPIR is considered categorically eligible and may receive free meal Program benefits without providing household size and income information. The income eligibility form for these participants only needs to document their name and their SNAP or FDPIR number, or their SSI or Medicaid identification number.

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Part 4. Meal Service

In this chapter you will find information on:

- Pricing programs;
- Meal pattern requirements;
- Different serving methods to provide meals;
- Meal preparation options; and
- Procurement requirements.

A. Meal Pattern Requirements

One or more of the following meal types must be served to adults and approved by the State agency in the center's application:

- Breakfast;
- Lunch;
- Supper; or
- Snack.

Adult Meal Patterns

Institutions and facilities may be approved to serve and claim up to two meals and one snack or two snacks and one meal per day. The following table shows the required food components for each meal type, and the minimum required serving sizes for adults. All of the required food components identified in this table must be offered with each meal, with the exception of the snack. Only two of the four food components are necessary for snacks.

Breakfast

Food Components	
1 milk fluid milk	 1 cup
1 fruit/vegetable juice,[1] fruit and/or vegetable	 1/2 cup
1 grains/bread[2] bread or cornbread or biscuit or roll or muffin or cold dry cereal or hot cooked cereal or pasta or noodles or grains	 2 slices 2 servings 1 1/2 cups 1 cup 1 cup

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Lunch	
Food Components	
1 milk fluid milk	 1 cup
2 fruit/vegetable juice,[1] fruit and/or vegetable	 1 cup
1 grains/bread[2] bread or cornbread or biscuit or roll or muffin or cold dry cereal or hot cooked cereal or pasta or noodles or grains	 2 slices 2 servings 1 1/2 cups 1 cup 1 cup
1 meat/meat alternate[3] meat or poultry or fish or alternate protein product or cheese or egg or cooked dry beans or peas or peanut or other nut or seed butter or nuts and/or seeds[4] or yogurt[5]	 2 ounces 2 ounces 2 ounces 1 egg 1/2 cup 4 Tbsp. 1 ounce 8 ounces

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Supper	
Food Components	
2 fruit/vegetable juice,[1] fruit and/or vegetable	1 cup
1 grains/bread[2] bread or	2 slices
cornbread or biscuit or roll or muffin or	2 servings
cold dry cereal or	1 1/2 cups
hot cooked cereal or	1 cup
pasta or noodles or grains	1 cup
1 meat/meat alternate[3] meat or poultry or fish or	2 ounces
alternate protein product or	2 ounces
cheese or	2 ounces
egg or	1 egg
cooked dry beans or peas or	1/2 cup
peanut or other nut or seed butter or	4 Tbsp.
nuts and/or seeds[4] or	1 ounce
yogurt[5]	8 ounces

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Snack	
Food Components	
1 milk fluid milk	 1 cup
1 fruit/vegetable juice,[1] fruit and/or vegetable	 1/2 cup
1 grains/bread[2] bread or cornbread or biscuit or roll or muffin or cold dry cereal or hot cooked cereal or pasta or noodles or grains	 1 slice 1 serving 3/4 cup 1/2 cup 1/2 cup
1 meat/meat alternate[3] meat or poultry or fish or alternate protein product or cheese or egg or cooked dry beans or peas or peanut or other nut or seed butter or nuts and/or seeds[4] or yogurt[5]	 1 ounces 1 ounces 1 ounces 1/2 egg 1/4 cup 2 Tbsp. 1 ounce 4 ounces
[1] Fruit or vegetable juice must be full-strength. [2] Breads and grains must be made from whole-grain or enriched meal or flour. Cereal must be whole-grain or enriched or fortified. [3] A serving consists of the edible portion of cooked lean meat or poultry or fish. [4] Nuts and seeds may meet only one-half of the total meat/meat alternate serving and must be combined with another meat/meat alternate to fulfill the lunch requirement. [5] Yogurt may be plain or flavored, unsweetened or sweetened.	

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Sample Meals

The following table provides an example of how each individual meal pattern could be met with commonly consumed foods.

Please note that variety is key to a healthy diet, so it is important to serve and select a wide variety of foods within each food component throughout the menu cycle.

Sample Breakfast
½ cup cooked oatmeal 1 slice whole wheat toast ½ cup diced peaches 1 cup 1% or nonfat milk
Sample Lunch
2 oz lean hamburger made from 100% ground beef ½ cup baked sweet potato fries ½ cup berries 1 whole wheat bun 1 cup 1% or nonfat milk
Sample Snack
4 oz yogurt 1 small muffin
Sample Supper
White bean and kale soup (½ cup beans and ½ cup kale per serving) 2 slices bread (or rolls, or cornbread) ½ cup cooked squash

Variations/Substitutions

If the institution serves adults that have disabilities or special dietary needs that lead to alterations of the meal pattern or the menu, ensure that these adults are being served meals in accordance with their needs and confirm that the appropriate documentation has been obtained and retained to support claiming the meals. See Part 11, Attachment 6 for a prototype form for documenting a medical or special dietary needs substitution.

- **Medical Statements** – In order to claim a meal that does not conform to the regulatory meal pattern, there must be a medical reason or a special dietary need and a signed statement on file.

- **Disabilities** - If an institution is serving an adult with a disability and that disability directly affects which foods the adult can consume, the guardian must submit a medical statement signed by a licensed physician. The medical statement must be kept on file, handled confidentially, and must describe:

  - The adult's disability and an explanation of why the disability restricts the adult's diet;

  - The major life activity affected by the disability;

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- The food or foods to be omitted from the adult's diet, and
- The appropriate substitutions.

o **Special Dietary Needs** - If an institution is serving an adult with special dietary needs (e.g., vegetarian), the guardian may request substitutions by submitting a medical statement signed by a recognized medical authority, such as physician, physician assistant, nurse practitioner or other professional specified by the State agency, listing the foods to be omitted and appropriate substitutions.

Note: Milk substitutions that are made due to special dietary needs that are not a disability must be nutritionally equivalent to milk, even if accompanied by a medical statement. The institution can make such substitutions at its discretion.

For additional information, see FNS Instruction 783-2 *Accommodating Children with Special Dietary Needs,* and CACFP 21-2011, *Child Nutrition Reauthorization 2010: Nutrition Requirements for Fluid Milk and Fluid Milk Substitutions,* September 15, 2011, and contact the State agency if there are additional questions.

B. Serving Meals

The intent of the Program is that all meals provided through CACFP must be consumed in a congregate setting. This means that all of the adult participants in CACFP at a particular center must eat their meals together in a central location. If there are several rooms in which meals might be served, the center is encouraged to contact its State agency for compliance information.

Offer versus Serve

At the discretion of the adult day care center, participants may be permitted to decline a certain number of food servings without the price or reimbursement for the meal being affected. This provision is called "offer versus serve" (OVS).

OVS

All meal items must be offered, but a certain number of items may be declined by the participant. The reimbursement for the meal will not be affected if an adult participant declines a food item [7 CFR 226.20(q)].

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The following bullets provide a quick guide to the food items that must be offered at each meal, and which may be declined by the participant (while still counting as a reimbursable meal):

- Breakfast: Offer
  1 serving of milk;
  1 serving of vegetables and/or fruit; and
  2 servings of bread or bread alternate.
  4 servings

  *Under OVS, participants may decline only **one** of the four servings offered.*

- Lunch: Offer
  1 serving of milk;
  2 servings of vegetables and/or fruit;
  2 servings of bread or bread alternate, and
  2 serving of meat or meat alternate.
  6 servings

  *Under OVS, participants may decline **up to two** of the six servings offered.*

- Supper: Offer
  2 servings of vegetables and/or fruit;
  2 servings of bread or bread alternate; and
  1 serving of meat or meat alternate.
  5 servings

  Under OVS, pa*rticipants may decline **up to two** of the five servings offered.*

- Snack: Because the snack meal pattern only contains two food items, OVS is not available for snacks. *Participants may not decline any servings.*

Family Style Meal Service

Family style is a type of meal service that allows adults to serve themselves from common platters of food with assistance from supervising adults. Unlike cafeteria lines and pre-plated meals, the family style method gives the adults more control over their servings. Because adults are generally used to family style eating, the day care participants may welcome this method and feel most comfortable when the center chooses to implement this style of service [7 CFR 226.20(p); FNS Instruction 783-9, Rev. 2., *Family Style Meal Service in the CACFP*, May 3, 1993].

If chosen, this serving style option must be exercised in compliance with the following practices:

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- Enough food must be placed on each table to provide the full required portions of each of the food components for all participants at the table, and to accommodate adults supervising the meal service at the table if they eat with the participants;

- The full minimum portion required under the applicable meal pattern must be offered to each participant; and

- When the full portion required by the applicable meal pattern is not initially taken by a participant, supervising adults must actively encourage the participant to accept the full portion during the course of the meal.

C. Meal Preparation

The best system of meal preparation in a given situation will depend upon such factors as the type of menu desired, the availability of food service equipment, space and personnel, and the budget of the organization. The following list includes the several types of food service systems available centers.

1. **Onsite:** Onsite preparation is the most commonly used food service system. The meals are prepared at the same location where they are to be served. This is usually the most economical method when the center has a kitchen, sufficient food preparation equipment, and available staff. All or part of the food may be prepared onsite and the remainder purchased by the institution (center or sponsoring organization) from an outside source, such as a school, hospital, or commercial vendor.

2. **Central Kitchen:** A sponsoring organization with only one center that can prepare meals may want to prepare all meals at that central kitchen. The sponsor can arrange to transport meals from the central kitchen and deliver them to other facilities. This system also may be utilized when the sponsoring organization arranges to have a school prepare and provide meals. When transporting meals, equipment will be needed to keep both hot and cold foods at temperature levels required under State or local health laws.

Remember

Only institutions, not facilities may enter into contracts, so only independent centers or sponsoring organizations may contract for meals or parts of meals.

3. **Purchasing from a School:** Meals may be purchased from a school that participates in the National School Lunch Program, either in bulk or as individual packaged units. An independent center or sponsoring organization that receives meals from a school must enter into a written agreement with that school. This agreement must contain the basic provisions of the Program requirements. Signing an agreement with a school to provide meals does not relieve the independent center or sponsoring organization of its Program responsibilities for monitoring and recordkeeping. The school should provide a copy of the menus served and meal service records required by the State agency [7 CFR 226.19a(b)(7)].

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4. **Purchasing From a Food Service Management Company:** Food service management companies are organizations that prepare and deliver meals. An independent center or sponsoring organization that purchases meals from a food service management company must enter into a written contract with the company. The State agency can provide a copy of the standard contract that must be used and guidance on meeting procurement standards. Signing a contract with a food service management company does not relieve the center or sponsoring organization of its Program responsibilities for monitoring and recordkeeping. Regulations require that a copy of the contract be submitted to the State agency before the beginning of Program operations under the contract [7 CFR 226.19a(c)].

5. **Purchasing from a Commercial Vendor:** Commercial vendors are public organizations (hospitals, college cafeterias, etc.), private commercial enterprises, or individuals that provide nonfood items or individual food items but not complete meals. An independent center or sponsoring organization that purchases from a commercial vendor must enter into a written contract with the vendor. The State agency can provide a copy of the standard contract and additional guidance on meeting procurement standards.

D. Procurement Standards

Purchasing rules were developed for institutions that utilize public funds in their Programs. To ensure Federal or State funds are used as wisely as possible, procurement standards outline specific steps to compare costs and to seek bids from interested vendors prior to making expenditures.

An independent center or sponsoring organization that contracts with a food service management company or commercial vendor should be aware of the procurement provisions governing the Program as outlined in detail in the CACFP regulations [7 CFR 226.22]. Here, in brief, are those guidelines.

Independent centers and sponsoring organizations may use their own procedures for procurement with Program funds as long as they comply with the following requirements.

- All procurement transactions will provide open and free competition and will not restrict or eliminate competition.

- Institutions must maintain a written code of standards of conduct that will govern the performance of all individuals involved with awarding and administering the contracts that are supported by Program payments. As a part of this code, employees, officers, or agents of the grantee may not participate in the selection, or in the award of administration of a contract supported by Federal funds if a conflict of interest real or apparent, would be involved. Additionally, favors or gratuities may not be solicited or accepted to or from parties or potential parties involved with the award.

- Policies will be put into place to ensure that proposed procurement actions will be reviewed by institution officials to avoid the purchase of unnecessary

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or duplicative services or items and to choose the most economical approach.

- Affirmative steps will be taken to utilize small and minority business when possible. This includes but is not limited to: including these types of businesses on solicitation lists, soliciting them when possible, dividing tasks or quantities when possible to ensure maximum small or minority business participation, and using the Small Business Administration and the Minority Business Enterprise of the Department of Commerce as required. Similar steps should be taken in support of women's business enterprises as well.

USDA requires all procurements of $150,000 or more to be formally advertised for a contract in accordance with regulations, unless, under certain instances, the State agency decides otherwise [CACFP 01-2013, *Federal Small Purchase Threshold Adjustment,* October 2, 2012]. State or local laws may require independent centers or sponsors to advertise for a contract of procurement of less than $150,000. State and local laws should be reviewed for specific requirements. State agencies may require the following when formally advertising a contract.

- The State agency must be notified and public announcement of the proposed contract must be made at least 14 calendar days before the opening of bids. The announcement must include the time and place of the bid opening and information about obtaining a copy of the complete specification for the proposed meal service.

- The invitation for bid (IFB) must be clear and accurate so that all prospective bidders have an equal chance of potentially getting the contract.

- The IFB may not provide for liens or other monetary benefits, terms, or conditions to be made by food service management companies or commercial vendors.

- The only nonfood items that can be included are those necessary for the food service (such as straws, napkins, or packaging).

- The bids must be opened publicly.

- Bids totaling $50,000 or more must be submitted to the State agency for approval.

- The State agency must be informed which bid will be chosen. If the lowest bid is not accepted, a justification for awarding the contract to a higher bidder must be provided.

E. USDA Foods

The FNS provides another type of assistance (in addition to Program reimbursement) through USDA Foods or additional cash instead of USDA Foods [7 CFR 226.5].

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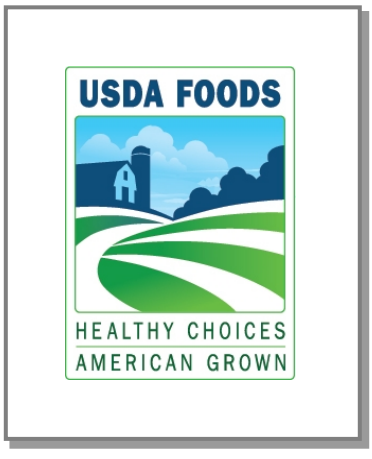
USDA Foods are foods that USDA purchases or acquires in large quantities. Depending on the season and the crops, USDA may buy or acquire beef, canned or fresh fruits and vegetables, wheat products, peanut butter, or any number of other products. USDA then distributes these foods to States, which in turn distribute them to schools and other Federally-funded food programs.



Each institution has the option of receiving USDA Foods or cash-in-lieu of USDA Foods in addition to reimbursement for meals served. A sponsoring organization must choose either USDA Foods or cash-in-lieu of USDA Foods for all its sponsored facilities. The State agency will annually contact each institution to determine its preference and will also provide information on the types of foods that are plentiful, how these foods are packaged, and where the foods may be obtained. Some choose cash-in-lieu of USDA Foods because they have determined that the available food packages are too large for timely use or because pick up and adequate storage would be difficult. If cash-in-lieu of USDA Foods is chosen, a per-meal payment for each lunch and supper served to enrolled participants will be provided in addition to the reimbursement; sponsoring organizations will forward these funds to their facilities along with the monthly reimbursement. This payment is equivalent to the dollar value of the USDA Foods allotment. However, if the State agency demonstrates that distribution of commodities to the number of institutions is difficult, the State agency can provide cash-in-lieu of USDA Foods for all independent centers and sponsoring organizations.

Some State agencies may allow an institution to change its choice between USDA Foods and cash-in-lieu of USDA Foods during the fiscal year. Contact the State agency for more information.

F. Questions and Answers

1. **If an adult day care participant refuses to take most food items offered because of limited appetite, is the meal still reimbursable?**

   A center has the option to implement OVS, whereby participants may decline a certain number of food items that are offered without reimbursement (or meal cost) being affected. However, a minimum number of items is still required to be served for reimbursement. For example, at the lunch meal, a participant must take at least four of the six servings offered.

2. **What milk choices must be offered to adults participating in a CACFP adult day care center?**

   The law requires all CACFP institutions to serve low-fat or fat-free milk, which includes adult day care centers [42 USC 1766(g)].

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Part 5. Program Reimbursement

A. Reimbursement May be Claimed for Which Individuals?

Reimbursement for meals served to eligible adults is made to those institutions that have an agreement with a State agency to operate the adult day care component of CACFP. Reimbursements are paid out of Program funds made available to the State from the USDA. Reimbursements may be paid by the State agencies directly to independent centers or to sponsoring organizations which then reimburse or use the funds to provide food to sponsored facilities [7 CFR 226.11(a)].

Reimbursements are based on the number of meals and/or snacks served to eligible adults times the applicable free, reduced price, or paid rate for meals and snacks [7 CFR 226.11(c)].

B. Current Reimbursement Rates

Reimbursement Rates are based on a formula established by Congress.

How is reimbursement calculated?

State agencies calculate reimbursement for meals served and claimed by adult day care centers by one of the following methods:

- **Actual counts.** Reimbursement is based on actual time of service counts of meals served. The number of meals, by type, served to participants that are eligible to receive free meals, participants eligible to receive reduced-price meals, and participants not eligible for free or reduced-price meals is multiplied by the applicable reimbursement rate.

- **Claiming percentages.** Reimbursement is based on the ratio of the number of enrolled participants in a center in each reimbursement category, to the total of enrolled participants in the center. That claiming percentage is applied to the total number of meals, by type, served to participants. These percentages then are multiplied by the assigned rate of reimbursement for each meal type.

- **Blended rates**. Reimbursement is determined by adding the products obtained by multiplying the applicable reimbursement rate of reimbursement for each category (free, reduced-price, paid) by the claiming percentage for that category. Blended per meal rates of reimbursement are multiplied by the total number of meals, by type, served to participants [7 CFR 226.11(c)(5)].

C. Receiving Reimbursement

To receive reimbursement, sponsoring organizations and independent centers must submit claims to their State agency. Claims for reimbursement must report information in

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accordance with the financial management system established by the State agency [7 CFR 226.10(c)]. Only institutions that have an agreement with the State agency will receive payments [7 CFR 226.11(a)].

All institutions must send the State agency accurate monthly reports on the number of meals served. These monthly reports are submitted on claim for reimbursement forms. Claims for reimbursement must be postmarked and/or submitted to the State agency no later than 60 days following the last day of the month covered by the claim [7 CFR 226.10].

Remember

It is important that institutions submit claims timely and correctly. Late claim submission can impact prompt payment from the State agency. If there are any questions, contact the State agency for assistance.

Sponsored facilities submit claims to their sponsoring organization. Sponsoring organizations then check each sponsored center's meal claim to ensure accuracy. At a minimum, edit checks must verify that each facility has been approved to serve the meals claimed and compare the number of eligible adults at each facility, multiplied by the number of days on which the facility is approved to serve meals, to the total number of meals claimed by the facility for that month.

If the first or last month of Program operations in any fiscal year contains 10 operating days or less, the claim for those days may be combined with the claim for the prior or following month. If a Program operates for more than 10 days in a month, a separate claim for that month must be sent to the administering State agency [7 CFR 226.10(e)].

An approved for-profit center may claim reimbursement only for those months when 25 percent of the enrolled participants are Title XIX and/or Title XX beneficiaries (the 25 percent may include the sum of both) or 25 percent of those enrolled are eligible for free or reduced-price meals. Independent centers and sponsoring organizations of for-profit facilities must submit the percentage of enrolled participants receiving Title XIX and/or Title XX benefits or the percentage of free and/or reduced-price enrollees for each month during which Program reimbursement is claimed [7 CFR 226.19a(b)(6)].

D. Unallowable Claims

Meals which may not be claimed for reimbursement include those that:

- Do not meet the meal pattern requirements;
- Are served to participants who are not enrolled;
- Are served to adults residing in residential care institutions;
- Exceed the limit of no more than two meals and one snack or two snacks and one meal served daily to each eligible participant;
- Are supported by funds from Title III of the Older Americans Act of 1965;
- Are served to enrolled participants who are under 60 years of age and not considered to be functionally impaired;
- Are served to enrollees under 18 years of age;
- Are served to participants in excess of the authorized license capacity at any time; or

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- Are served at a for-profit center during any calendar month when less than 25 percent of the enrolled participants are Title XIX and/or Title XX beneficiaries or eligible for free and/or reduced-price meals.

E. Title III Funding

Funds for meals served by adult day care centers are also available from other Federal and State sources. The Administration on Aging of the Department of Health and Human Services provides meal service funds to some adult day care centers under Title III of the Older American's Act of 1965. However, a single meal may not be supported by funds from both the CACFP and Title III. As noted above, if a center uses Title III funds for costs associated with a meal, the center may not claim reimbursement for that meal under CACFP.

Title III benefits include all assistance provided under Part C of Title III of the Older Americans Act, including USDA Foods (or cash-in-lieu of USDA Foods) authorized by the Act and provided by the Department of Agriculture and nutrition grants authorized by the Act and provided by the Department of Health and Human Services. An adult day care center may use CACFP and Title III funds for different individuals' meals within the same meal service or for different individual's meal services (breakfast, lunch, dinner, or snacks).

F. Processing Claims

The State agency must pay all valid claims for reimbursement within 45 calendar days after receiving them. If an incomplete or incorrect claim is submitted, the State agency will notify the institution, within 15 calendar days, explaining the problem and how the claim can be corrected. If all or part of the claim is disallowed, the State agency will explain why and provide an opportunity to appeal the decision under the fair hearing procedures. A sponsor is required to distribute reimbursement to each facility under its sponsorship within 5 working days after receiving it from the State agency (unless the sponsoring organization provides the meals).

G. Advance Payments

Facility Advances

Sponsoring organizations must disburse advances to sponsored facilities within five working days of receipt from the State agency.

All institutions are eligible to receive advance payments at the State agency's discretion. These payments should approximate the average monthly reimbursement. The State agency makes advance payments available on the first of each month for estimated expenses incurred for the rest of that month. The institutions may choose to receive all or part of the advance payment or may choose not to receive any advance payments. The State agency will estimate the amount of the first advance payment each fiscal year using information such as prior year reimbursement claims and enrollment figures [7 CFR 226.6(f)(3)].

When the claim for reimbursement is submitted after the end of each month, the State agency will compare it to the amount that was received in the advance payment. If the advance was for more money than the claim for reimbursement at the end of the month, the

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State agency will either demand full repayment or adjust subsequent payments, including advances [7 CFR 226.10(b)(3)].

The State agency will not advance money if it believes the institution will not be able to submit a valid claim for reimbursement for any month. If the State agency withholds an advance payment, it must explain why and provide the institution an opportunity to appeal [7 CFR 226.10(b)].

H. Questions and Answers

1. **Can an adult day care center request reimbursement through CACFP for a meal served to a participant who is also receiving services through a Medicaid Nursing Home Diversion Waiver program?**

   Under Medicaid waiver programs, States may elect to furnish under Medicaid a broad array of services, including meals that are not otherwise covered. A CACFP institution may not be reimbursed for the same meal through two separate Federal programs. However, if an adult day care center has the flexibility to use the Medicaid funds for other expenses and use CACFP funds for meals, which would be permissible. Benefits for the Medicaid Nursing Home Diversion Waiver vary by State. State agencies should contact the agency that administers Medicaid in their State for more information.

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Part 6. Recordkeeping

By keeping accurate records, institutions can ensure that they receive all the reimbursement payments to which they are entitled. This section provides information about the types of records that must be kept to justify reimbursement claims. Institutions must establish procedures to collect and maintain all Program records required by the USDA and the State agency.

A. Required Records

Institutions are required to keep the following records relating to participation in the CACFP [7 CFR 226.15(e)]:

- Copies of the Program application and supporting documents submitted to the State;
- Documentation of the enrollment of each participant including information used to determine eligibility for free and reduced price meals;
- Documentation of the age of each enrolled participant;
- Documentation that each enrolled participant under 60 meets functional impairment eligibility requirements;
- Individual plans of care for each functionally impaired participant under 59 years old;
- Documentation that participants reside in their own homes or in group living arrangements;
- Daily attendance rosters or sign-in sheets, or other methods with State approval, which result in accurate recording of daily attendance;
- Daily point-of-service meal counts, by type (breakfast, lunch, supper, and snacks), served to center participants;
- Daily records indicating the number of meals, by type, served to adults performing labor necessary to the food service;
- Copies of invoices, receipts or other records required by the State agency financial management instruction to document:
    - Administrative costs claimed by the institution;
    - Operating costs claimed by the institutions; and
    - Income to the Program.
- Copies of all claims for reimbursement submitted to the State agency;

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- Receipts for all Program payments received from the State agency;
- If applicable, information concerning dates and amounts of payments to sponsored facilities;
- Copies of menus, and any other food service records required by the State agency;
- Documentation of nonprofit food service to ensure that all Program reimbursement funds are used to either conduct the food service or improve food service operations for the benefit of the enrolled participants;
- Audit resolution documentation; and
- For sponsoring organizations;
    - Information and dates of each adult day care center review, any problems noted, and the corrective action prescribed and effected,
    - Information on staff training session date(s) and location(s), as well as topics presented and names of participants, and
    - Records documenting the attendance at annual training of each staff member with monitoring responsibilities.

B. Record Retention

Records that support a claim must be retained for three years after the final claim for the fiscal year. However, if there are audit findings that have not been resolved, records must be retained until the audit findings have been resolved. All accounts and records should be made available upon request to the State agency, the USDA, and the United States Government Accountability Office for audit or review at a reasonable time or place. Failure to maintain required records will result in denial of reimbursement.

C. Questions and Answers

1. Are production records required?

Production records are not required by regulation for meal and snack service, though individual State agencies may require them. However, documentation of compliance with the meal pattern and records of all purchases including food are required under CACFP.

2. Individual plans of care are required for participating adults who are functionally impaired and not yet 60 years of age. Must the center maintain a plan of care for participants, functionally impaired or not, who are 60 years or older?

Centers may have a plan of care for non-impaired participants over 60, but it is not a CACFP requirement.

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Part 7. Monitoring

Monitoring is the process of visiting and reviewing centers. Monitoring is critical to the effective operation of the Program. As part of the review and monitoring process, State agencies and sponsors must provide technical assistance. This assures that participants receive nutritious meals and that institutions receive proper financial reimbursement.

A. State Agency Monitoring Requirements

State agencies must provide technical and supervisory assistance to sponsors and independent centers to ensure effective Program operation, monitor progress towards achieving Program goals, and ensure that there is no discrimination in the Program.

Review Content

State agencies must assess each institution's compliance with the requirements related to:

- Recordkeeping;
- Meal counts;
- Administrative costs (for centers reimbursed on actual costs and for sponsoring organizations;
- Any applicable guidance issued by FNS, the USDA, or the State;
- If applicable, facility licensing and approval;
- If an independent center, observation of a meal service;
- If a sponsoring organization, training and monitoring of sponsored centers; and
- All other Program requirements.

Frequency and Number of Reviews

State agencies must adhere to the following review schedule when monitoring sponsors and independent centers:

- Annually review at least 33.3 percent of all institutions.
- At least 15 percent of the total number of facility reviews must be unannounced.
- Independent centers and sponsors of 1 to 100 centers must be reviewed at least once every 3 years.
- Sponsoring organizations with more than 100 centers must be reviewed at least once every two years (these reviews must include 5 percent of the first 1,000 centers and 2.5 percent of the centers in excess of 1000).
- New sponsoring organizations with 5 or more centers must be reviewed within the first 90 days of operations [7 CFR 226.6(m)]

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Civil Rights

Institutions also must comply with the following civil rights laws and compliance will be monitored by the State agency:

- Title VI of the Civil Rights Act of 1964,
- Title IX of the Education amendments of 1972,
- Section 504 of the Rehabilitation Act of 1973,
- The Age Discrimination Act of 1975 and
- The USDA's regulations concerning nondiscrimination.

See the FNS Instruction 113, *Civil Rights Compliance and Enforcement- Nutrition Programs and Activities,* November 8, 2005 and the *State Agency Monitoring* CACFP Handbook for details on compliance requirements for institutions and facilities.

B. Sponsoring Organization Monitoring Requirements

Each sponsoring organization must provide adequate supervisory and operational personnel for the effective management and monitoring of the Program at all centers under its sponsorship.

Pre-approval Visits and Training Requirements

Sponsoring organizations must conduct pre-approval visits to each center to discuss Program benefits and requirements and ensure that the center is capable of providing the proposed meal service. Sponsoring organizations must also conduct training on Program duties and responsibilities to key staff from all sponsored centers prior to the beginning of Program operations.

At a minimum training must include instruction appropriate to the level of staff experience and duties on:

- Program meal patterns,
- Meal counts,
- Claims submission,
- Review procedures,
- Recordkeeping requirements, and
- Reimbursement system.

Mandatory Training

Attendance at training by key staff, as defined by the State agency is mandatory.

Sponsors must provide additional annual training sessions for key staff from all sponsored adult care facilities [7 CFR 226.16(b)]

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Review Elements

Reviews must:

- Determine whether a center has corrected problems noted on prior reviews;
- Include a reconciliation of the center's meal counts with enrollment and attendance records for a five day period; and
- Include an assessment of the center's compliance with Program requirements related to:
    - The meal pattern;
    - Licensing or approval;
    - Attendance at annual training;
    - Meal counts; and
    - Menu and meal records.

Review Averaging

If a sponsor conducts two unannounced reviews of a facility in one year and finds no serious deficiencies, the sponsor may choose not to do a third review of that facility that year. However, the first review in the next review year must occur no more than 9 months after the previous review [7 CFR 226.16(d).

Follow-up Reviews

If during a center review, a sponsoring organization finds one or more serious deficiencies, that center's next review must be unannounced and the sponsoring organization must initiate the serious deficiency process [7 CFR 226.16(d)(4)(v)].

Health and Safety

If a sponsoring organization, State, or FNS finds that a center's conduct or conditions pose a threat to the health or safety of participating adults or the public, the reviewer must immediately notify the appropriate State or local licensing or health authorities and take action that is consistent with the recommendations and requirements of those authorities [7 CFR 226.6(c)(5)(i)]. If the licensing or health authorities discover a problem and suspend the center's license, CACFP participation will be immediately suspended.

Frequency and Type of Required Reviews

Sponsors must adhere to the following review schedule:

- Annually review each facility three times per year;
- At least two of the reviews must be unannounced;
- At least one unannounced review must include observation of a meal service;
- At least one review must be during each new facility's first four weeks of operations; and
- No more than 6 months may elapse between reviews.

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Sponsoring organizations must ensure that the timing of unannounced reviews is varied in a way that would ensure they are unpredictable to the facility [CACFP 16-2011 *Child Nutrition Reauthorization 2011: Varied Timing of Unannounced Reviews in the Child and Adult Care Food Program,* April 7, 2011].

C. Corrective Action

If a participating institution has committed one or more serious deficiencies, the institution's executive director and chairman of the board of directors must receive a notice of serious deficiency. The notice must identify responsible principals and individuals and must be sent to those persons as well. The notice will specify appropriate corrective action and the time periods for completing the corrective action for the institution and responsible principals and individuals.

If one or more serious deficiencies result in a disallowance (a determination that the institution must repay the State for unearned reimbursements) the State must establish an overclaim. To the extent possible and appropriate, the State must identify the person or persons responsible for the deficiencies for the purpose of assigning financial responsibility to the responsible principal or responsible individual, in addition to the institution. Failure to take corrective action to fully and permanently correct the serious deficiency by the allotted time will result in proposed termination [7 CFR 226.6(c)].

D. Appeals

A facility may appeal the proposed termination by requesting an administrative review within 15 days of receiving the notice of proposed termination. A hearing is then held by the administrative review official, and the official must inform the State agency, the institution's executive director, and the chairman of the board of directors, and the responsible principals and responsible individuals, of the administrative review's outcome within 60 days of the State agency's receipt of the request for an administrative review [7 CFR 226.6(k)].

States will use guidance in the *State Agency Monitoring* CACFP Handbook and the *Serious Deficiency, Suspension, and Appeals* CACFP Handbook for addressing issues in institution or facility operations.

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Part 8. Acronyms and Glossary

ADA - Americans with Disabilities Act

CACFP – Child and Adult Care Food Program

CFR – Code of Federal Regulations

FDPIR – Food Distribution on Indian Reservations

FNS- Food and Nutrition Service

OVS – Offer Versus Serve

SNAP – Supplemental Nutrition Assistance Program

SSI – Social Security Income

USDA – United States Department of Agriculture

See the CACFP regulations at 7 CFR 226.2 for Program definitions. Other definitions used in this handbook follow.

Code of Federal Regulations (CFR) – The CFR is the codification of the general and permanent rules published in the Federal Register by the departments and agencies of the Federal Government.

Corrective Action – This is a series of steps taken to correct a weakness or error in a management system in order to conform to the rules and regulations for the proper administration of the program. Corrective actions are the result of a management evaluation review performed by the State agency in charge of the administration of the Program.

Disability – The Americans With Disabilities Act (ADA) of 1990, including ADA Amendments Act of 2008 (P.L. 110-325), defines an individual with a disability as a person with a physical or mental impairment that substantially limits one or more major life activities; has a record of such an impairment; or is regarded as having such an impairment. Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, communicating, etc. A major life activity also includes the operation of a major bodily function, including, but not limited to functions of the immune system, digestive system, bowel, bladder neurological system, etc.

Enrolled Eligible Participant – An individual registered with a center to receive day care. Any registered individual eligible for CACFP benefits (i.e., functionally impaired or 60 years of age or older) must be included in all enrollment counts for the purposes of determining CACFP eligibility and receipt of program reimbursement. “Drop-in: adults who eat meals at a center but are not registered to receive care at the center are not “enrolled.” Enter volunteers, regardless of age, cannot be considered enrolled in the center for purposes of receiving CACFP reimbursement unless they are actually registered at the center with an individual plan of care and meet CACFP eligibility requirements.

Family Style Meal Service – A type of meal service that allows adults to serve themselves from common platters or bowls of food.

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Group Living Arrangement – Residential communities which may or may not be subsidized by Federal, State or local funds but which are private residences housing an individual or a group of individuals who are primarily responsible for their own care and who maintain a presence in the community but who may receive on-site monitoring.

Individual Plan of Care – Each person enrolled in the Adult Day Care program is evaluated to determine their health and emotional needs. Once those needs have been established, an individual plan of care is developed to meet the physical, emotional, and social needs of the participant. For CACFP purposes, participating centers need not have an individual plan of care for participating adults age 60 or older who are not impaired. They must, however, have a plan for each impaired participating adult.

Meal Count – A daily count of meals served to participants by meal type.

Menus – A dated list of food, by meal type, served to CACFP participants.

National School Lunch Act (ACT) – was signed by President Harry Truman in 1946 and established the National School Lunch Program and was later amended to establish the Child and Adult Care Food Program.

National School Lunch Program – is a Federally assisted meal program operating in public and nonprofit private schools and residential child care institutions. It provides nutritionally balanced, low-cost or free lunches to children each school day.

Offer Versus Serve– Offer versus serve means that adults are offered all of the components of the meal pattern, but are not required to take them all.

Reimbursable Meals – Meals that are served to enrolled participants at a center and that meet USDA nutritional requirements.

Reimbursement means Federal financial assistance paid or payable to institutions for Program costs within the rates assigned by the State agency

Respite – Temporary relief for family member(s) who are responsible for the daily care of an impaired individual.

USDA Foods – Quantities of foods (beef, canned or fresh fruits and vegetables, wheat products, peanut butter, etc.) distributed to organizations for consumption.

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Part 9. Resources

Below is a list of available resources including regulations, required notices, rates, and meal service/planning guides.

CACFP Policy
http://www.fns.usda.gov/cnd/care/Regs-Policy/PolicyMemoranda.htm

CACFP Required Meal Patterns
http://www.fns.usda.gov/cnd/care/programbasics/meals/meal_patterns.htm

Code of Federal Regulations – Child and Adult Care Food Program 7 CFR 226.6
http://www.gpoaccess.gov/cfr/

Dietary Guidelines for Americans
The Dietary Guidelines for Americans are the cornerstone for Federal nutrition policy and nutrition education activities.
www.dietaryguidelines.gov

Food and Nutrition Service (FNS)
The Food and Nutrition Service administers the Child and Adult Care Food Program on the Federal level.
www.fns.usda.gov

FNS Instructions

FNS Instruction 113-1, *Civil Rights Compliance and Enforcement- Nutrition Programs and Activities*, November 8, 2005
http://www.fns.usda.gov/sites/default/files/113-1.pdf

FNS Instruction 783-9, Rev. 2., *Family Style Meal Service in the CACFP*, May 3, 1993 [Attached]

Application for Free and Reduced-Price Meals
http://www.fns.usda.gov/cnd/care/Benefit_Forms/Translations.htm

MyPlate
MyPlate was developed as an effort to promote healthy eating to consumers. The MyPlate symbol is easy to understand and it helps to promote messages based on the 2010 Dietary Guidelines for Americans.
www.choosemyplate.gov

National Food Service Management Institute
The National Food Service Management Institute (NFSMI), part of the School of Applied Science at The University of Mississippi, offers in-person training at little or no cost and free online courses designed to support the professional development of child nutrition program and child/adult care personnel at all levels of responsibility. The Institute also delivers free training resources managers can use to train their staff.
www.nfsmi.org

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Reimbursement Rates which are updated and issued each July 1
http://www.fns.usda.gov/cnd/care/ProgramBasics/Payments/Rates.htm

State Agency Contact Information
www.fns.usda.gov/cnd/Contacts/StateDirectory.htm

Team Nutrition
Team Nutrition is an initiative of the USDA Food and Nutrition Service to support the Child Nutrition Programs through training and technical assistance for food service, nutrition education for children and their caregivers, and school and community support for healthy eating and physical activity. Users can download recipes, activity sheets and other nutrition related materials.
http://teamnutrition.usda.gov/

The Healthy Meals Resource System
The Healthy Meals Resource System is an online information center for USDA Child Nutrition Programs (CNP) and has been delivering resources to CNP staff since 1995.
http://healthymeals.nal.usda.gov

CACFP Handbooks
FNS guidance will be consolidated into subject-specific Handbooks and issued on the FNS website.

- Management Plans and Budgets
- Serious Deficiency, Suspension, and Appeals

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Memoranda Issued by FNS Relating to the Adult Day Care Component of the CACFP

October 2, 2012	CACFP 01-2013 *Federal Small Purchase Threshold Adjustment*
August 7, 2012	CACFP 21-2012 *Adult Day Care Center Eligibility and Licensing/Approval*
August 7, 2012	CACFP 20-2012 *Participant Eligibility in the Adult Day Care Component of the Child and Adult Care Food Program*
July 24, 2012	CACFP 18-2012 Tribal Participation in the Child and Adult Care Food Program and the Summer Food Service Program
April 7, 2011	CACFP 16-2011 *Child Nutrition Reauthorization 2011: Varied Timing of Unannounced Reviews in the Child and Adult Care Food Program*
January 14, 2011	CACFP 07-2011, *Permanent Agreements in the Summer Food Service Program and the Child and Adult Care Food Program*
August 3, 2011	CACFP 25-2011 *Translations for the Free and Reduced Price School Meals Application and Child and Adult Care Food Program Meal Benefit Income Eligibility Form*

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Part 10. Additional Food and Nutrition Programs for Older Americans

USDA has a variety of programs that can help the elderly meet their dietary needs and stretch their food budgets. USDA in partnership with the Department of Health and Human Services also maintains the Dietary Guidelines for All Americans, including a special guide for older adults. The following programs and resources are available to the elderly.

A. Federal Government Programs for Seniors

Commodity Supplemental Food Program
http://www.fns.usda.gov/fdd/programs/csfp/

The Commodity Supplemental Food Programs (CSFP) is a Federally funded program, which works to improve the health of low-income pregnant and breastfeeding women, other new mothers up to one year postpartum, infants, children up to age six, and elderly people at least 60 years of age by supplementing their diets with nutritious USDA commodity foods. It provides food and administrative funds to States to supplement the diets of these groups.

State Agencies on Aging and Indian Tribal Organizations may choose to receive part or all of that support in the form of USDA foods.

The USDA foods portion of NSIP is funded through a transfer of funds from AoA to the Food Distribution Division.

To apply for commodity foods under the Food Distribution Programs, please contact the State Distributing Agency in your State which administers this Program at: http://www.fns.usda.gov/fdd/contacts/sdacontacts.htm.

Dietary Guidelines -- Materials for Older Americans
http://www.health.gov/dietaryguidelines/dga2005/toolkit/default.htm#older_adults

This is a section within the Dietary Guidelines for Americans Toolkit for Health Professionals collection of materials housed with the Dietary Guidelines for Americans on the Health And Human Services Website. It includes many nutrition handouts specifically geared toward older adults and would make excellent companion pieces to nutrition assistance program materials.

Nutrition Services Incentive Program (NSIP)
http://www.fns.usda.gov/fdd/programs/nsip/

The Older American's Act (OAA) Nutrition Programs are administered by the U.S. Department of Health and Human Service's (DHHS) Administration on Aging (AoA).

Under Section 311 of the OAA, the Nutrition Services Incentive Program (NSIP) rewards State agencies on Aging and Indian Tribal Organizations that efficiently deliver nutritious meals to older adults.

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Senior Farmers' Market Nutrition Program
http://www.fns.usda.gov/wic/SeniorFMNP/SFMNPmenu.htm

The Senior Farmers' Market Nutrition Program (SFMNP) awards grants to States, United States Territories, and Federally-recognized Indian tribal governments to provide low-income seniors with coupons that can be exchanged for eligible foods (fruits, vegetables, honey, and fresh-cut herbs) at farmers' markets, roadside stands, and community supported agriculture programs. The majority of the grant funds must be used to support the costs of the foods that are provided under the SFMNP; State SNAP agencies may use up to 10 percent of their grants to support administrative costs.

Supplemental Nutrition Assistance Program
http://www.fns.usda.gov/snap/

The SNAP provides financial assistance for food purchasing to low- and no-income people and families living in the U.S. SNAP is the Federal name for the Program (formerly known as Food Stamps); though some State Programs may have a different name.

B. Research

USDA produces research studies each year that have to do with Program usage and characteristics, evaluations of pilot and demonstrations projects and other analysis. This research often includes the elderly as a focus. All FNS research projects can be found on the FNS Office of Research and analysis' website:
http://www.fns.usda.gov/ora/.

C. Partner Resources

USDA partners with many organizations – such as other Federal agencies and nonprofit organizations – that are working to improve the lives of elderly and disabled individuals. The following are a few of our partners that have many programs, projects and initiatives that help connect people to resources, raise funds to support the elderly and increase awareness about their needs. For more information about forming partnerships, please see the Partnerships section of the SNAP Outreach Toolkit at:
http://www.fns.usda.gov/snap/outreach/tool-kits.htm.

Department of Health and Human Services/ Administration on Aging **(AOA)**
http://www.aoa.gov/

Among many other important resources, AOA's website includes:

- Grant programs that fund projects for the Aging Network here:
  http://www.aoa.gov/AoARoot/Grants/index.aspx.

- Off-site resources for older adults caregivers and professionals
  http://www.aoa.gov/AoARoot/Elders_Families/index.aspx

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- The *eldercare*locator, a locator that connects older adults and their families to local services:
  http://www.eldercare.gov/Eldercare.NET/Public/Index.aspx.

- Aging and Disability Resource Centers (ARDC).
  http://www.aoa.gov/AoAroot/AoA_Programs/HCLTC/ADRC/index.aspx

National Council on Aging **(NCOA)**
http://www.ncoa.org/

NCOA focuses on the following core areas: Improving Health, Enhancing Economic Security, Promoting Independence and Dignity, and Strengthening Community Organizations.

NCOA's website includes a link to Benefits CheckUp, a one stop benefits screening service, which can be found here:
http://www.benefitscheckup.org/.

National Association of Area Agencies on Aging (N4A)
http://www.n4a.org/

N4A advocates on behalf of Area Agencies on Aging and about aging issues in general. They also provide training and technical assistance to a national network of 629 Area Agencies on Aging and 246 Title VI programs.

AARP Foundation
http://www.aarp.org/aarp-foundation/

The AARP Foundation works to end poverty among the elderly in the United States. Grant opportunities are often listed on their website – some of which include funding for anti-hunger initiatives.

One of AARP's current focus areas is hunger and the Foundation has an initiative called "Drive to End Hunger" which raises money to fight hunger among the elderly in partnership with NASCAR driver Jeff Gordon:
http://drivetoendhunger.org/.

D. Additional Resources

The following web sites provide additional information relevant to all aspects of adult day care and nutrition and can be considered another valuable resource in caring for adults in need.

National Council on Aging:
www.ncoa.org.

National Aging Information Facility:
www.aoa.dhhs.gov/NAIC.

National Adult Day Services Association:
www.nadsa.org.

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National Respite Network and Resource Facility:
www.archrespite.org.

USDA, Food and Nutrition Service:
www.fns.usda.org.

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UNITED STATES DEPARTMENT OF AGRICULTURE
Food and Nutrition Service
3101 Park Center Drive
Alexandria, VA 22302

FNS INSTRUCTION 783-9
REV. 2

ACTION BY: Regional Directors
Special Nutrition Programs

SOURCE CITATION: Section 226.20

Family Style Meal Service in the Child and Adult Care Food Program

The Child and Adult Care Program (CACFP) has long been recognized for its nutritional goals of providing nutritious meals to children and helping them establish good eating habits at a young age. Family style meal service provides a further opportunity to enhance these goals by encouraging a pleasant eating environment that will support and promote mealtime as a learning experience.

Family style is a type of meal service which allows children to serve themselves from common platters of food with assistance from supervising adults setting the example. In A Planning Guide for Food Service in Child Care Centers (FNS-64), the chapter, "Make Mealtime a Happy Time," provides guidance for family style meal service in the CACFP. Family style meal service encourages supervising adults to set a personal example and provide educational activities that are centered around foods. This approach allows children to identify, and be introduced to new foods, new tastes, and new menus, while developing a positive attitude toward nutritious foods, sharing in group eating situations, and developing good eating habits.

Unlike cafeteria lines, unitized meals, and pre-set service, the family style method affords some latitude in the size of initial servings because replenishment is immediately available at each table. Even when a complete family style service is not possible or practical, it may be useful to offer a component or components in a family style manner particularly when smaller children are being served or when a new food item is being introduced. This latitude must be exercised in compliance with the following practices, at a minimum:

(1) A sufficient amount of prepared food must be placed on each table to provide the full required portions ($226.20) of each of the food components for all children at the table, and to accommodate supervising adult(s) if they eat with the children.

DISTRIBUTION:	MANUAL MAINTENANCE INSTRUCTIONS:	RESPONSIBLE FOR PREPARATION AND MAINTENANCE:	Page 1
5,6,11,12	Remove FNS Instruction 783-9 from Manual. Insert this Instruction.	CND-100	5-3-93

FORM FNS-620 (4-86)

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