

Requirements for Meal Modifications in the Child and Adult Care Food Program (CACFP)

ADULT DAY CARE CENTERS



Connecticut State Department of Education
Bureau of Health/Nutrition, Family Services and Adult Education
Child Nutrition Programs

Presentation Information

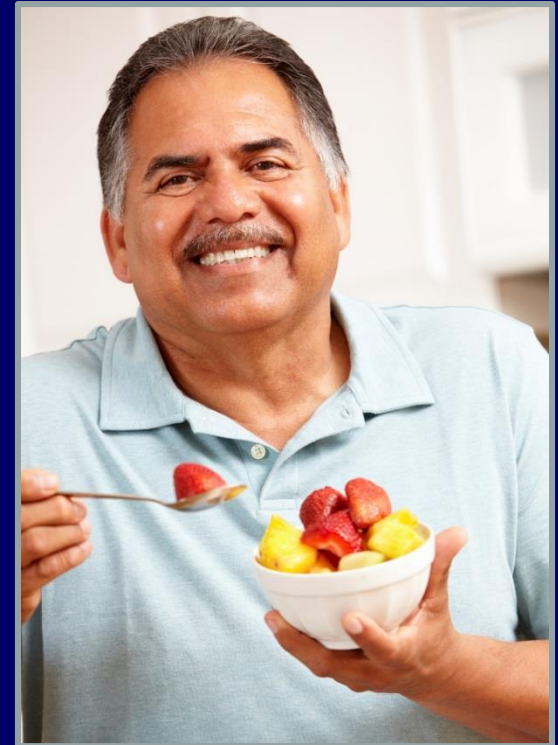
- This presentation provides general guidance regarding the meal modification requirements for adult day care centers participating in the U.S. Department of Agriculture's (USDA) CACFP
- Links to relevant resources are indicated in the yellow bar at the bottom of a slide
- For detailed guidance, visit the Connecticut State Department of Education's (CSDE) Special Diets in CACFP Adult Day Care Centers webpage at <http://portal.ct.gov/SDE/Nutrition/Special-Diets-in-CACFP-Adult-Day-Care-Centers>
- For specific questions or additional guidance, please contact the CSDE (see slide 59)

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USDA Meal Patterns for the CACFP

- CACFP sponsors must comply with the USDA's CACFP adult meal patterns
- However, modifications may be needed for participants whose disability restricts their diet



<http://portal.ct.gov/SDE/Nutrition/Meal-Patterns-CACFP-Adult-Centers>

Federal Nondiscrimination Legislation



Federal Nondiscrimination Legislation

Contain provisions that require CACFP facilities to make reasonable meal modifications for participants whose disability restricts their diet

- Section 504 of the Rehabilitation Act of 1973
- Americans with Disabilities Act (ADA) of 1990 and the **ADA Amendments Act of 2008**
- USDA Nondiscrimination Regulations (7 CFR 15b)

ADA Amendments Act

- *Expands and clarifies* definition of disability
 - Viewed more broadly
 - Encompasses more impairments that limit a major life activity and require an accommodation
- Clarifies that emphasis is on *providing reasonable modification*
 - Person with disability does *not* have high burden of proving their disability

Definition of Disability

Any person who has a *physical or mental impairment* that substantially limits one or more “*major life activities,*” has a record of such impairment, or is regarded as having such impairment

ADA Amendments Act

Expanded Definition of Disability

Revises “Substantially Limits”

- The impairment does not need to prevent or severely/significantly restrict a major life activity

Example: A participant whose digestion is impaired by a food intolerance may be a person with a disability, regardless of whether consuming the food causes the participant severe distress

- Individualized assessment: *Case-by-case basis*, according to each participant’s individual needs, as specified on the medical statement

ADA Amendments Act

Expanded Definition of Disability

Revises “Substantially Limits”

- **Without regard to ameliorative effects of mitigating measures**

Examples

- A participant with a disability may be able to control an allergic reaction by taking medication, but this cannot be considered in determining if the participant’s condition constitutes a disability
- A participant may be able to control diabetes through insulin and diet, but this cannot be considered in determining if the participant’s condition constitutes a disability

ADA Amendments Act

Expanded Definition of Disability

Revises “Substantially Limits”

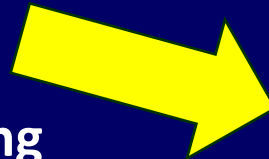
- May include an impairment that is *episodic or in remission* if it would substantially limit a major life activity when active
 - Must consider duration (or expected duration) and extent to which impairment actually limits a major life activity

Example: A participant had major oral surgery due to an accident and is unable to consume food for a significant period of time unless the texture is modified

Expanded Definition of Disability

Major Life Activities

- Caring for one's self
- Performing manual tasks
- Seeing
- Hearing
- Eating
- Sleeping
- Walking
- Standing
- Lifting
- Bending
- Speaking
- Breathing
- Learning
- Reading
- Concentrating
- Thinking
- Communicating
- Working



New Category Major Bodily Function

- Immune system
- Normal cell growth
- Digestive
- Bowel
- Bladder
- Neurological
- Brain
- Respiratory
- Circulatory
- Endocrine
- Reproductive

Meal Modifications

- Federal nondiscrimination laws *require* meal modifications for participants with a disability (physical or mental impairment) that restricts their diet

All meal modifications must be made on a *case-by-case* basis to meet the special dietary needs of each individual participant

- Meal modifications are *optional* for participants without a disability

Types of Disability Discrimination

- **Discrimination because of the disability**
 - Denying benefits or opportunity to participate
 - Segregating individuals with disabilities
 - Aiding, perpetuating, or contracting with others that discriminate
- **Failure to provide a reasonable modification**
- **Ineffective communication**
- **Inaccessible facilities**

CACFP facilities must ensure that discrimination does not occur

What Constitutes a Disability



What Constitutes a Disability

- Based on *federal nondiscrimination laws* and a recognized medical authority's *diagnosis* of participant's medical condition
- *Medical statement* indicates if participant has a disability (physical or mental impairment) that restricts their diet

What Constitutes a Disability

CACFP facilities can determine if a participant requires a meal modification by reviewing question 10 in section B of the CSDE's *Medical Statement for Meal Modifications in CACFP Adult Day Care Centers* form (see slide 29)

Question 10 asks if the participant has a physical or mental impairment that restricts their diet

- If recognized medical authority's answer is "Yes," CACFP facility **must** make the meal modification
- If recognized medical authority's answer is "No," CACFP facility can **choose**, but is not required, to make the meal modification

Examples of Disabilities That May Require Meal Modifications *

- Autism
- Cancer
- Celiac disease
- Cerebral palsy
- Diabetes
- Food allergies (including non-life-threatening)
- Food intolerances, e.g., lactose, gluten
- Heart disease
- Metabolic disorders
- Obesity
- Phenylketonuria (PKU)
- Seizure disorder
- Certain temporary disabilities

* This list is *not all-inclusive* and these conditions *might not require meal modifications for all participants* (case-by-case basis)

Disabilities Do Not Include

- General health concerns
- Personal preferences
- Vegetarianism
- Religious or moral convictions



Examples

- Participant or participant's family prefers a gluten-free diet because they believe it is healthier
- A participant does not eat certain foods for religious reasons

Resources for What Constitutes a Disability

- **CSDE Guide: *Accommodating Special Diets in CACFP Adult Day Care Centers* (see slide 55)**
- **CSDE Handout: *Guidance and Instructions: Medical Statement for Meal Modifications in CACFP Adult Day Care Centers* (see slide 30)**
- **CSDE Operational Memorandum No. 2A-18 (see slide 56)**
- **USDA Policy Memo CACFP 14-2017 (see slide 57)**

Meal Modifications for Participants with Disabilities



USDA Requirements for Meal Modifications

GENERAL GUIDELINE

Participants with disabilities must be able to participate in and receive benefits from programs that are available to participants without disabilities



USDA Requirements for Meal Modifications

- USDA requires *reasonable* modifications if a disability restricts the participant's diet
- Must be *documented* with a medical statement signed by a recognized medical authority

Definition of Reasonable Modification

A change or alteration in policies, practices, and/or procedures to accommodate a disability that ensures participants with disabilities have equal opportunity to participate in or benefit from a program



Definition of Recognized Medical Authority

A state-licensed health care professional who is authorized to write medical prescriptions under state law and is recognized by the Connecticut State Department of Public Health

- physicians
- physician assistants
- doctors of osteopathy
- advanced practice registered nurses (APRNs), i.e., nurse practitioners, clinical nurse specialists, and certified nurse anesthetists who are licensed as APRNs

USDA Requirements for Medical Statement



Medical Statement Must Include

- *Information* about participant's physical or mental impairment (disability) that is sufficient to allow the CACFP facility to understand how the impairment restricts the participant's diet
- An *explanation* of what must be done to accommodate the participant's disability
- If appropriate, the *food or foods to be omitted and recommended alternatives*

Appropriate Medical Statement

- **Recommendation: Use the CSDE's form (see slide 29)**
- **If a CACFP facility uses an alternate form, it must contain the information required by USDA (see slide 27)**
- **The CACFP facility's medical statement cannot require a specific diagnosis by name or use the term "disabled" or "disability"**

CSD E Resource

Medical Statement for Meal Modifications in CACFP Adult Day Care Centers

Medical Statement for Meal Modifications in Child and Adult Care Food Program (CACFP) ADULT DAY CARE CENTERS

This form applies to requests for meal modifications for adult participants in adult day care centers participating in the U.S. Department of Agriculture's (USDA) CACFP. CACFP adult day care centers are required to make reasonable meal modifications for participants whose physical or mental impairment restricts their diet. For guidance on meal modifications and instructions for completing this form, see the Connecticut State Department of Education's (CSD E) *Guidance and Instructions: Medical Statement for Meal Modifications in CACFP Adult Day Care Centers*.

Note: The USDA requires that the medical statement includes: 1) information about the participant's physical or mental impairment that is sufficient to allow the adult day care center to understand how the impairment restricts the participant's diet; 2) an explanation of what must be done to accommodate the participant's disability; and 3) if appropriate, the food or foods to be omitted and recommended alternatives. CACFP adult day care centers should not deny or delay a requested meal modification because the medical statement does not provide sufficient information. When necessary, the adult day care center should work with the participant or responsible family member to obtain the required information. While obtaining additional information, the CACFP facility should follow the portion of the medical statement that is clear and unambiguous to the greatest extent possible.

SECTION A – Completed by Parent or Responsible Family Member

- Name of Participant: _____ 2. Birth Date: _____
- Name of Responsible Family (if applicable): _____
- Phone Number (with area code): _____ 5. E-mail address: _____
- Address: _____ City: _____ State: _____ Zip: _____
- In accordance with the provisions of the Health Insurance Portability and Accountability Act (HIPAA) of 1996 and the Family Educational Rights and Privacy Act (FERPA), I hereby authorize _____
name of participant's recognized medical authority
to release such protected health information as is necessary for the specific purpose of special diet information to _____
name of CACFP adult day care center and I consent to allow the recognized medical authority to freely exchange the information listed on this form and in my records with the adult day care program as necessary. I understand that I may refuse to sign this authorization without impact on the eligibility of my request for a special diet. I understand that I may rescind permission to release this information at any time except when the information has already been released.
- Signature of Participant or Responsible Family Member: _____ 9. Date: _____

SECTION B – Completed by Participant's Recognized Medical Authority

This section must be completed by the participant's physician, physician assistant, doctor of osteopathy, or advanced practice registered nurse (APRN). APRNs include nurse practitioners, clinical nurse specialists, and certified nurse anesthetists who are licensed as APRNs.

- Physical or Mental Impairment: Does the participant have a physical or mental impairment that restricts the participant's diet?
 No Yes – Describe how the participant's physical or mental impairment restricts the participant's diet.
- Diet Plan: Explain the meal modification for the participant. Attach a specific diet plan, if needed.

CSDE Resource

Guidance and Instructions: Medical Statement for Modifications in CACFP Adult Day Care Centers

Guidance and Instructions

Medical Statement for Meal Modifications in Child and Adult Care Food Program (CACFP) ADULT DAY CARE CENTERS

The Connecticut State Department of Education's (CSDE) *Medical Statement for Meal Modifications in CACFP Adult Day Care Centers* applies to requests for meal modifications for adult participants in adult day care centers participating in the U.S. Department of Agriculture's (USDA) CACFP. CACFP adult day care centers:

- are required to make reasonable meal modifications for participants whose physical or mental impairment (disability) restricts their diet; and
- have the option to make meal modifications for participants whose special dietary needs do not constitute a disability, if the requested modification complies with the USDA meal patterns.

This document provides general guidance on the requirements for meal modifications (pages 1-6) and instructions for completing the CSDE's *Medical Statement for Meal Modifications in CACFP Adult Care Centers* form (pages 7-8). For detailed guidance on the requirements for modified meals, review the CSDE's guide, *Accommodating Special Diets in CACFP Adult Day Care Centers*.

Determining if a Meal Modification is Required

CACFP adult day care centers can determine if an adult participant requires a meal modification by reviewing question 10 in section B of the CSDE's *Medical Statement for Meal Modifications in CACFP Child Care Programs* form. Question 10 asks if the participant has a physical or mental impairment that restricts their diet. If the recognized medical authority's answer is "Yes," the CACFP adult day care center must make the meal modification. If the recognized medical authority's answer is "No," the CACFP adult day care center can choose, but is not required, to make the meal modification. For more information, see "What Constitutes a Disability" on page 2.

MEAL MODIFICATIONS FOR PARTICIPANTS WITH DISABILITIES

Federal laws and USDA regulations require that CACFP adult day care centers make reasonable meal modifications on a case-by-case basis to accommodate participants whose disability restricts their diet. A "reasonable modification" is a change or alteration in policies, practices, and/or procedures to accommodate a disability that ensures participants with disabilities have equal opportunity to participate in or benefit from a program.

A request for a reasonable modification must be related to the disability or limitations caused by the disability and requires a medical statement from a state-licensed healthcare professional who is authorized to write medical prescriptions under state law. The Connecticut State Department of Public Health defines a recognized medical authority as a physician, physician assistant, doctor of osteopathy, or advanced practice registered nurse (APRN). APRNs include nurse practitioners, clinical nurse specialists, and certified nurse anesthetists who are licensed as APRNs.

Section 504 of the Rehabilitation Act of 1973 (Section 504), the Americans with Disabilities Act (ADA) of 1990, the ADA Amendments Act of 2008, and the USDA nondiscrimination regulations (7 CFR 15b) define a person with disability as any person who has a physical or mental impairment that substantially limits one or more "major life activities," has a record of such impairment, or is

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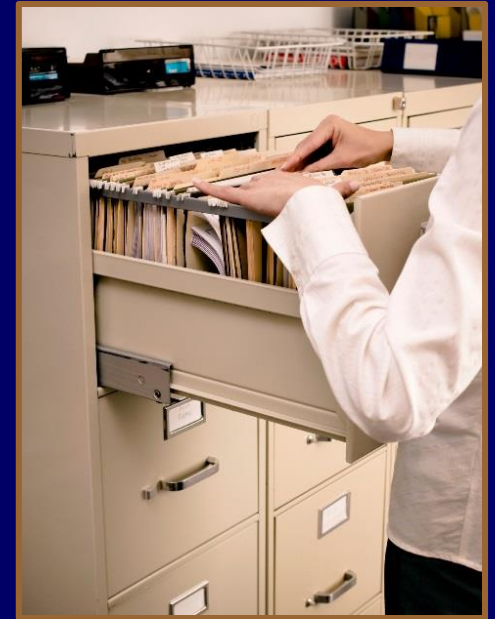
<http://portal.ct.gov/-/media/SDE/Nutrition/CACFP/SpecDiet/AdultMedicalinstr.pdf>

Handling Missing Information

- CACFP facilities *cannot deny or delay* a requested meal modification with insufficient information
 - Must obtain appropriate clarification
 - Must work with participant or participant's family to obtain amended medical statement
- While obtaining additional information, CACFP facilities must follow the *portion of the medical statement that is clear and unambiguous* to greatest extent possible

Updates to Medical Statements

- Changes to diet orders must be in *writing* on a medical statement signed by a recognized medical authority
- CACFP facilities should *develop a plan* for ensuring that dietary information on file is current
- USDA recommends that CACFP facilities maintain documentation when *ending* a meal accommodation



Good Communication is Important

- USDA encourages *inclusive team approach* to provide appropriate meal modifications
 - individuals from sponsoring organization or center
 - other individuals with appropriate training, e.g., nurse or registered dietitian
 - food service personnel



Good Communication is Important

- *Establish procedures* for identifying participants with special dietary needs and providing applicable information to food service personnel



Sharing of Medical Statements

- **The Health Insurance Portability and Accountability Act of 1996 (HIPAA) permits disclosure of personal health information needed for patient care and other important purposes**
 - **May share copies of participants' medical statements with food service personnel for the purposes of accommodating special diets**



CACFP Facility Obligations for Reasonable Meal Modifications



CACFP Facility Obligations for Reasonable Meal Modifications

- Modification must be *related to disability* based on participant's medical statement
- Must assess each request on a *case-by-case basis* to determine appropriate modification
- Can consider *cost and efficiency*

General Guideline: CACFP facility must offer a medically appropriate and reasonable modification that effectively accommodates the participant's disability and provides equal opportunity to participate in or benefit from the CACFP

Food Substitutions

- Not required to provide the *same* meal
- Not required to provide a *specific number* of alternate meals
- Generally not required to provide a *specific brand of food*, unless medically necessary



General Guideline: CACFP facility must offer a medically appropriate and reasonable modification that effectively accommodates the participant's disability and provides equal opportunity to participate in or benefit from the CACFP

Nutrition Information

- CACFP facility must make *nutrition information for CACFP meals available* to participants, families, health consultants, and others, as needed
 - Not required for *all* meals
 - **Best Practice:** Develop *cycle menus* for specific diets, e.g., five-day gluten-free diet cycle menu or two-week cycle menu for a specific food allergy
 - ▶ Check with the participant or the participant's family to ensure cycle menu meets the participant's specific dietary requirements

Texture Modifications

- Meals modified for texture (chopped, ground or pureed) consist only of *regular menu items*, unless otherwise specified
- Medical statement not required but recommended
 - CSDE recommends medical statement to ensure clear communication between participants, families, medical professionals, and applicable program staff about appropriate meal modifications



Meal Services Outside USDA Programs

- CACFP facilities are not required to provide meal services to participants with disabilities when the meal service is *not normally available for all participants*

Example: A CACFP facility that does not serve breakfast is not required to provide breakfast for participants with disabilities

Appropriate Eating Areas

- Must accommodate participants with disabilities in *least restrictive* and *most integrated* setting
 - Participants with disabilities must participate with participants without disabilities to the maximum extent appropriate
- Ensure food service areas are *accessible*
- Provide *auxiliary aids and services*, if needed
 - food service aides
 - adaptive feeding equipment
 - meal tracking assistance
 - other effective methods

Appropriate Eating Areas

- Separate table for participants with certain special needs may be appropriate under some circumstances
 - Must always be based on what is appropriate to meet *participants' needs*
 - Cannot segregate as a matter of convenience



Meal Modifications for Participants *without* Disabilities



Meal Modifications for participants *without* Disabilities

- **Optional**
- **Must always comply with the CACFP adult meal patterns**
- **Medical statement not required**
 - **CSDE recommends medical statement to ensure clear communication between participants, families, medical professionals, and applicable program staff about appropriate meal modifications**



Milk Substitutes for participants *without* Disabilities

- CACFP adult meal patterns *require* milk at breakfast and lunch, and *allow* milk as one of the two snack components
- Milk is *optional* at supper

Allowable Types of Milk for CACFP Adult Meal Patterns

- Unflavored low-fat (1%) milk
- Unflavored fat-free milk
- Flavored fat-free milk *

* The USDA's *CACFP Best Practices* recommends serving only unflavored milk

Milk Substitutes for Participants *without* Disabilities

- CACFP facilities may choose to offer one or more *allowable milk substitutes* including
 - low-fat (1%) or fat-free lactose-reduced or lactose-free milk
 - a nondairy beverage that meets the USDA nutrition standards for fluid milk substitutes



Milk Substitutes for Participants *without* Disabilities

- Without a disability, CACFP facilities cannot offer juice or water as a substitute for milk, even if specified on a medical statement



Summary of Allowable Milk Substitutes for Participants with and without a Disability

Beverage	Allowable Substitute?	
	Disability	No Disability
Juice	Yes *	No
Water	Yes *	No
Nondairy beverage that meets USDA standards	Yes *	Yes
Nondairy beverage that does NOT meet USDA standards	Yes *	No

* If specified by the recognized medical authority in the participant's medical statement

CSDE Resource

Allowable Milk Substitutes for Adults without Disabilities in the CACFP

ALLOWABLE MILK SUBSTITUTES FOR ADULTS WITHOUT DISABILITIES in the Child and Adult Care Food Program

Adult day care centers that participate in the Child and Adult Care Food Program (CACFP) must follow the U.S. Department of Agriculture's (USDA) requirements for milk substitutes for adult participants without disabilities. These requirements apply only to meal accommodations for adult participants without disabilities who cannot drink milk.

CACFP adult day care centers have the option to make this accommodation by offering one or more allowable fluid milk substitutes for adult participants without disabilities. These substitutes are at the expense of the CACFP facility. If the CACFP adult day care center chooses to make allowable milk substitutes available, they must be available for all adult participants when requested by the adult participant or a person acting on behalf of the adult participant.

The following criteria apply only to milk substitutes for adult participants without disabilities. Dietary accommodations for adult participants with disabilities must follow the USDA requirements specified in the Connecticut State Department of Education's (CSDE) guide, *Accommodating Special Diets in CACFP Adult Day Care Centers*.

ALLOWABLE FLUID MILK SUBSTITUTES

CACFP adult day care centers can choose to offer one or more allowable fluid milk substitutes, including:

- lactose-free or lactose-reduced milk that is unflavored low-fat (1%), unflavored fat-free, or flavored fat-free; and
- allowable nondairy milk substitutes, such as soy milk, that meet the USDA nutrition standards for milk substitutes. For more information, see "USDA Nutrition Standards for Milk Substitutes" on page 2.

The USDA recommends that lactose-free or lactose-reduced milk is the first choice for adult participants with lactose intolerance.

CACFP adult day care centers may choose to offer only one milk substitute such as lactose-free milk. If the adult participant or person acting on behalf of the adult participant decides not to take this option, the CACFP facility is not obligated to offer any other milk substitutes. CACFP adult day care centers may also choose (but are not required) to offer a second option of a nondairy beverage that meets the USDA nutrition standards for milk substitutes.



JUICE AND WATER SUBSTITUTES

CACFP adult day care centers can never offer juice or water as milk substitutes for adult participants without disabilities, even with a medical statement signed by a recognized medical authority. If CACFP adult day care centers choose to make milk substitutes available, they must include either lactose-free or lactose-reduced milk (unflavored low-fat, unflavored fat-free, or flavored fat-free), or a nondairy beverage that meets the USDA nutrition standards for milk.

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<http://portal.ct.gov/-/media/SDE/Nutrition/CACFP/SpecDiet/Adultmilksub.pdf>

Summary of USDA Requirements



Summary of USDA Requirements for Meal Modifications

Criteria	Disability	No Disability
Meal modification	Required *	Optional
Medical statement signed by recognized medical authority	Yes	Recommended
Modified meals must meet CACFP adult meal patterns	No	Yes

* If disability restricts participant's diet

Determining if Meal Modifications Are Required

Does the participant have a physical or mental impairment that meets the definition of *disability* under any of the federal nondiscrimination laws (Section 504, the ADA and ADA Amendments Act, and the USDA nondiscrimination regulations 7 CFR 15 b)?

YES

Does the physical or mental impairment *restrict the participant's diet*?

YES

Did the participant's family provide a *medical statement* signed by a recognized medical authority that indicates:

- how the participant's physical or mental impairment restricts the participant's diet;
- an explanation of what must be done to accommodate the participant; and
- if appropriate, the food or foods to be omitted and recommended alternatives?

YES

CACFP facility is *required* to make the meal modification

NO

CACFP facility is *not required* to make the meal modification

NO

CACFP facility is *required* to make the meal modification and must work with participant or participant's family to obtain a medical statement

NO

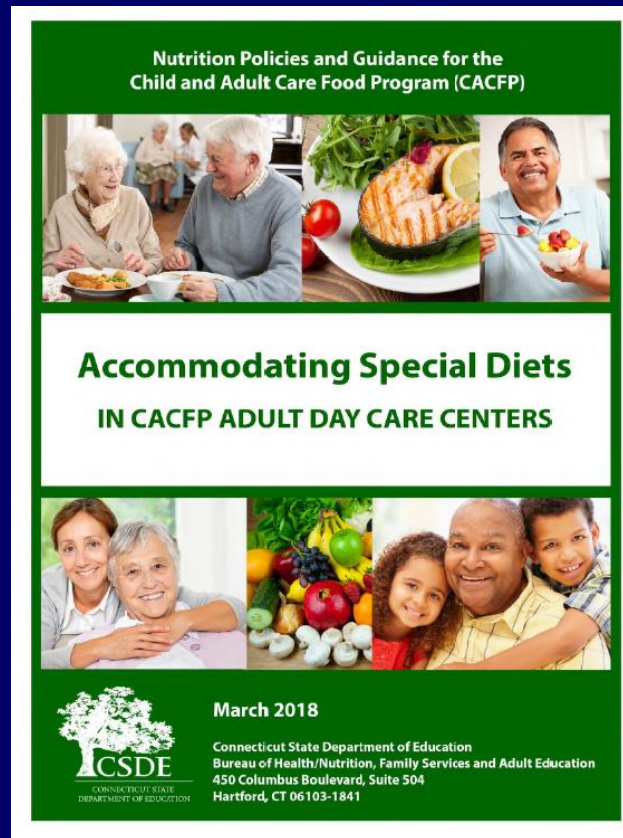
CACFP facility is *not required* to make the meal modification

Resources



CSDE Resource

Accommodating Special Diets in CACFP Adult Day Care Centers



<http://portal.ct.gov/-/media/SDE/Nutrition/CACFP/SpecDiet/AdultNPGSpDiet.pdf>

CSDE Operational Memorandum

Operational Memorandum No. 2A-18 (October 20, 2017) *Requirements for Meal Modifications in CACFP Adult Day Care Centers*



STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION



TO: Child and Adult Care Food Program (CACFP) Adult Day Care Centers

FROM: John D. Frassinelli, Chief *JDF*
Bureau of Health/Nutrition, Family Services and Adult Education

DATE: October 20, 2017

SUBJECT: Operational Memorandum No. 2A-18
Requirements for Meal Modifications in CACFP Adult Day Care Centers

On June 22, 2017, the U.S. Department of Agriculture (USDA) issued policy memo [CACFP 14-2017 SFSP 10-2017: Modifications to Accommodate Disabilities in CACFP and SFSP](#). This operational memorandum significantly changes the requirements and process for meal modifications for adult participants with disabilities in CACFP adult day care centers.

This operational memorandum provides an overview of the key requirements for meal modifications, including relevant legislation and definitions, and summarizes the Connecticut State Department of Education's (CSDE) special diets implementation resources for CACFP adult day care centers. For detailed guidance, review the CSDE's guide, [Accommodating Special Diets in CACFP Adult Day Care Centers](#).

REVISED RESOURCES

The CSDE has recently revised the following documents to reflect the USDA's policy guidance in CACFP 14-2017 SFSP 10-2017:

- [Accommodating Special Diets in CACFP Adult Day Care Centers](#);
- [Allowable Milk Substitutes for Adults without Disabilities in the CACFP](#);
- [Medical Statement for Meal Modifications in CACFP Adult Day Care Centers](#); and
- [Guidance and Instructions: Medical Statement for Meal Modifications in CACFP Adult Day Care Centers](#) (new resource).

Please discard any old versions of these documents and replace with the revised versions. CACFP adult day care centers must carefully review these resources to ensure compliance with the USDA requirements for meal modifications for adult participants with disabilities in the CACFP.

Please note that there is only one medical statement for all meal modification requests for adult participants with and without disabilities. This form replaces the previous two forms (medical statement for adult participants with disabilities and medical statement for adult participants without disabilities).

P.O. BOX 2219 | HARTFORD, CONNECTICUT 06145
An Equal Opportunity Employer

USDA Policy Memo

CACFP 14-2017 **SFSP 10-2017** **(June 22, 2017)** ***Modifications to*** ***Accommodate*** ***Disabilities in CACFP*** ***and SFSP***



Food and Nutrition Service
Park Office Center
3101 Park Center Drive
Alexandria VA 22302

DATE: June 22, 2017

MEMO CODE: CACFP 14-2017, SFSP 10-2017

SUBJECT: Modifications to Accommodate Disabilities in the Child and Adult Care Food Program and Summer Food Service Program

TO: Regional Directors
Special Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All States

This memorandum outlines the requirements for Child and Adult Care Food Program (CACFP) institutions and facilities and Summer Food Service Program (SFSP) sponsors (Program operators) to provide reasonable modifications to Program meals or the meal service to accommodate children or adults (participants) with disabilities. This memorandum supersedes FNS Instruction 783-2, Rev. 2. With the release of this memorandum, FNS Instruction 783-2, Rev. 2 has been rescinded.

BACKGROUND

This guidance only addresses modifications required to accommodate disabilities that restrict a participant's diet. Program operators have the option to accommodate special dietary needs that do not constitute a disability, including those related to religious or moral convictions or personal preference. Additional guidance on accommodating special dietary needs and preferences that are not related to a disability will be provided separately.

Program regulations require Program operators to ensure that breakfast, lunch, snack, or milk (meals) offered through the CACFP and SFSP meet the respective meal pattern requirements established in the Program regulations. Federal law and USDA regulations further require Program operators to make reasonable modifications to accommodate participants with disabilities. This includes providing special meals, at no extra charge, to participants with a disability that restricts the participant's diet.

Program operators are required to make substitutions to meals for participants with a disability that restricts participant's diet on a case-by-case basis and only when supported by a written statement from a State licensed healthcare professional.

USDA is an Equal Opportunity Provider, Employer and Lender

<https://www.fns.usda.gov/modifications-accommodate-disabilities-cacfp-and-sfsp>

CSDE Webpage

Special Diets in CACFP Adult Day Care Centers

The screenshot shows the CSDE website interface. At the top, there is a blue header with the 'ct.gov' logo, the text 'Connecticut's Official State Website', a search bar with the placeholder 'Search Connecticut Government...', and a settings gear icon. Below the header, a breadcrumb trail reads 'HOME / DEPARTMENT OF EDUCATION / SPECIAL DIETS IN CACFP ADULT DAY CARE CENTERS'. The main title of the page is 'Special Diets in CACFP Adult Day Care Centers'. On the left side, there is a vertical navigation menu with the following items: 'Overview' (highlighted), 'Documents/Forms', 'Related Resources', 'Laws/Regulations', and 'Contact'. Below the menu, it says 'Provided by: Department of Education'. The main content area on the right starts with an 'Overview' section. It includes a list of links: 'CACFP | Adult Day Care Centers | Program Guidance | Forms | Operational Memos | Resources'. The text explains that the CSDE's 'Accommodating Special Diets in CACFP Adult Day Care Centers' provides guidance on meal modifications for adults with special dietary needs, based on federal nondiscrimination laws and USDA regulations. It notes that this guide applies to CACFP adult day care centers. There are two sub-sections: 'Participants with a Disability' and 'Participants without a Disability'. The 'Participants with a Disability' section states that the USDA requires reasonable meal modifications on a case-by-case basis for participants whose disability restricts their diet, based on a medical statement signed by a recognized medical authority. The 'Participants without a Disability' section states that the USDA allows, but does not require, meal modifications for participants whose special dietary needs do not constitute a disability, including those related to religious or moral convictions, general health concerns, and personal food preferences, such as a preference for a gluten-free diet. It notes that CACFP adult day care centers may choose to make these accommodations on a case-by-case basis and that all meal modifications must comply with the CACFP adult meal patterns.

<http://portal.ct.gov/SDE/Nutrition/Special-Diets-in-CACFP-Adult-Day-Care-Centers>

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