

Policy and Procedure Manual Adult Day Care Centers



Child and Adult Care Food Program

Missouri Department of Health and Senior Services
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Missouri Department of Health and Senior Services
Child and Adult Care Food Program
Adult Day Care Center
Policy & Procedure Manual

Table of Contents

Chapter 1.	Introduction	
	Introduction.....	1.1
	History – National Level.....	1.2
	Administration	1.3
	Assistance Available.....	1.4
	Definitions – Adult Day Care Center	1.5
	Acronyms	1.6
Chapter 2.	Eligibility Requirements	
	Private Non-Profit Centers.....	2.1
	Private For-Profit Centers.....	2.2
	Public Non-Profit Centers.....	2.3
	Standards for Participation	2.4
	Participant Eligibility	2.5
Chapter 3.	Applying to the Program	
	Forms to Complete.....	3.1
	Application Review Process	3.2
	Updating Application Information.....	3.3
	Contract.....	3.4
Chapter 4.	The Reimbursement System	
	Reimbursement Rates	4.1
	Deadlines for Claim Submission	4.2
	Claims Processing.....	4.3
	For Profit Centers.....	4.4
	Participation Controls	4.5
	Changes in Authorized Representative.....	4.6
	Access to the CACFP Web-Based System	4.7
	Mandatory Training Requirement.....	4.8
	Block Claim	4.9
Chapter 5.	Requirements of Management – Independent Centers	
	Application Renewal Information.....	5.1
	Required Recordkeeping.....	5.2
	For-Profit Centers – Monthly Title XX & XIX or Free/Reduced Verification	5.3

Missouri Department of Health and Senior Services
Child and Adult Care Food Program
Adult Day Care Center
Policy & Procedure Manual

Criteria for Claiming Meals	5.4
Audits.....	5.5
Civil Rights Data Collection.....	5.6
Civil Rights Complaint Procedure	5.7
Title III Funding.....	5.8
Food Service Contractor Requirements.....	5.9
Production Records – Minimum Requirements for Food Service Contractors.....	5.10
Annual Training.....	5.11

Chapter 6. Requirements of Management – Sponsoring Organizations

Application.....	6.1
Adds or Deletes.....	6.2
Required Recordkeeping.....	6.3
Disbursements.....	6.4
Unaffiliated Sponsored Centers – Application Information.....	6.5
For-Profit Centers – Monthly Title XX and XIX or Free/Reduced Verification.....	6.6
Criteria for Claiming Meals	6.7
Audits.....	6.8
Program Assistance	6.9
Civil Rights Data Collection.....	6.10
Civil Rights Complaint Procedure	6.11
Title III Funding	6.12
Food Service Contractor Requirements.....	6.13
Production Records – Minimum Requirements for Food Service Contractors.....	6.14
Agreement with Sponsored Facilities	6.15
Five Day Reconciliation	6.16
Annual Training.....	6.17

Chapter 7. Meal Pattern

Requirements for Meals.....	7.1
Offer Versus Serve.....	7.2
Component Definitions.....	7.3
Types of Meal Service	7.4
Food Substitutions for Disability.....	7.5 A
Milk Substitution for Non-Disability.....	7.5 B
Food Not Provided/Prepared by the center.....	7.6
Non-Traditional Food Sources & Commercially Processed Food	7.7
Meal Service Times and Duration.....	7.8

Missouri Department of Health and Senior Services
Child and Adult Care Food Program
Adult Day Care Center
Policy & Procedure Manual


Chapter 8.	Recordkeeping	
	Purpose of Records	8.1
	Records to Support Program Cost.....	8.2
	Records to Support the Claim.....	8.3
	Records to Support Compliance	8.4
	Records to Support For-Profit Eligibility.....	8.5
Chapter 9.	The Monitoring Review	
	Areas Which Will be Monitored.....	9.1
	Meal Count Verification	9.2
	Monitoring Policy	9.3
	Monitoring Visit Report.....	9.4
	Meal Service Compliance.....	9.5
	Non-Profit Food Service Verification.....	9.6
	Monitoring Findings.....	9.7
	Review of Food Purchase Receipts.....	9.8
	Deficiencies/Disallowances	9.9
	Termination and Disqualification.....	9.10
	Suspension of Participation.....	9.11
Chapter 10.	Free and Reduced Price Meals	
	Non-Pricing Institutions – Policy Statement	10.1
	Pricing Institutions – Policy Statement.....	10.2
	Press Release	10.3
	Income Eligibility Form Overview	10.4
	Application for Free and Reduced Price Meals.....	10.5
	Letter to Participant, Family or Guardian	10.6
	Determination of Eligibility – Non-Pricing.....	10.7
	Determining Eligibility – Pricing.....	10.8
	Means Testing.....	10.9
Chapter 11.	Procurement	
	Overview.....	11.1
	Determining the Purchase Method.....	11.2
	Developing the Invitation for Bid	11.3
	Criteria for Awarding the Bid.....	11.4
	Opening, Evaluating, and Awarding the Bid	11.5
	Monitoring the Contract.....	11.6
	Code of Conduct.....	11.7
	Contracting with Small and Minority Forms	11.8

Missouri Department of Health and Senior Services
Child and Adult Care Food Program
Adult Day Care Center
Policy & Procedure Manual

Vendors Receiving Title III Funds.....	11.9
Chapter 12. Appeal Procedures	
Actions Which Can Be Appealed	12.1
Types of Appeals.....	12.2
Filing an Appeal Request.....	12.3
Determination of Hearing Officer	12.4
Appeal of Proposal to Terminate Seriously Deficient.....	12.5
Chapter 13. Donated Food Program	
Donated Food or Cash-in-Lieu of Commodities.....	13.1
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Missouri Department of Health and Senior Services - Section for Long Term Care and Regulation and Licensure	
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Missouri Department of Health and Senior Services
Child and Adult Care Food Program
Adult Day Care Center
Policy & Procedure Manual

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Licensing/Approval

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	3/12	1	1.1
CHAPTER Chapter 1 Introduction				SUBJECT Introduction			


Good nutrition is an essential component necessary for the maintenance of health for participants in adult day care. Those responsible for feeding participants in adult day care centers have an important responsibility to:

- Serve nutritious and attractive meals in congregate or group settings that meet participant’s nutritional needs;
- Make meal time a pleasant and sociable experience; and
- Not charge or collect payment for the meals served to Program participants.

Sharing in the responsibility is the staff of the Child and Adult Care Food Program (CACFP). The CACFP is a U.S. Department of Agriculture (USDA) program which is administered by the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA).

Together, the MDHSS-BCFNA and adult day care providers can maintain a high quality of care. This policy and procedure manual is designed to give adult day care providers instructions on how to operate the CACFP and serve wholesome and attractive meals that meet the nutritional needs of the participants in their care.

Ref: 7 CFR 226.19(a)(2)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL	6/91	3/12	1	1.2
CHAPTER Chapter 1 Introduction		SUBJECT History – National Level			

Congress established the Child Care Food Program (CCFP) in 1968 to provide meals to children in day care centers, settlement houses, and recreation centers. The program was created in response to the need to provide good nutrition to children in low income areas where there were large numbers of working mothers.


Congress passed another law in 1978 to make the program permanent and ensure that the program continued to provide quality nutrition. Under this law, any public or private nonprofit institution that is licensed or approved to care for children may participate in the program. This included child care centers, recreation centers, outside-school-hours care centers, group day care homes, and institutions providing day care for the handicapped. The CCFP was expanded in 1981 to allow certain adult day care centers to participate.

Private, for-profit organizations receiving compensation from Title XX of the Social Security Act became eligible to participate in 1981. This eligibility required not less than 25 percent of the children or adults enrolled in each calendar month to be Title XX beneficiaries. In 1989, adult day care centers receiving Medicaid (Grant to States for Medical Assistance Program) or benefits under Title XIX of the Social Security Act became eligible for the CACFP if at least 25% of participants received these program benefits. The eligibility requirement was amended August 1992 to allow private, for-profit Title XX child care and adult care centers to participate in CACFP if at least 25% of their enrolled or 25% of their licensed capacity, whichever is less, receive Title XX benefits. This amendment provides for child care centers only. This provision was made permanent in the 2004 Child Nutrition and WIC Reauthorization Act.

Another provision in 1981 allowed all eligible nonresidential institutions to receive reimbursement for providing meals to children 12 years of age and younger. The age limit for the children of migrant workers is 15 years of age and younger. Mentally or physically handicapped people can participate in the CACFP if they are enrolled in a child care center or facility that serves people primarily 18 years of age and under.

The program was further expanded in 1988 to allow certain adult day care centers to participate. Public Law 100-175 and Parts 226.2 and 226.19 limit the participation to only adult day care centers. Adult day care centers eligible to receive CACFP funds must provide services to adult participants over 60 years of age or to functionally impaired adults 18 years or older.

In 1990, the overall program name changed to Child and Adult Care Food Program (CACFP) with both the Child Care Food Program and Adult Care Food Program within the CACFP. This manual is designed for adult day care centers.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL	6/91	3/12	1	1.3
CHAPTER Chapter 1 Introduction		SUBJECT Administration			

At the national level, the U.S. Department of Agriculture’s (USDA) Food and Nutrition Service (FNS) administers the CACFP. The national office develops regulations, publications, and forms, and establishes the policies necessary to carry out the program. The national office is also responsible for oversight of the Program and providing guidance to ensure delivery of Program benefits to those participants who are eligible. The Missouri Department of Health and Senior Services is the state administering agency for the CACFP in Missouri. The central office is located at:

Missouri Department of Health and Senior Services
 Bureau of Community Food and Nutrition Assistance
 920 Wildwood
 P.O. Box 570
 Jefferson City, MO 65102
 573-751-6269
 800-733-6251
 573-526-3679 (fax)
<http://www.health.mo.gov/cacfp>
CACFP@health.mo.gov


The district office addresses are:

Northwestern District Health Office
 3717 S. Whitney Ave.
 Independence, MO 64055
 800-733-6251

Eastern District Health Office
 220 South Jefferson
 St. Louis, MO 63103
 800-733-6251

Southwestern District Health Office
 Landers State Office Building
 149 Park Central Square, P.O. Box 777
 Springfield, MO 65801
 800-733-6251

Southeastern District Health Office
 338 Broadway, Suite 200
 Cape Girardeau, MO 63701
 800-733-6251


	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL	6/91	3/12	1	1.4
CHAPTER Chapter 1 Introduction		SUBJECT Assistance Available			

Through the staff with the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS - BCFNA), the following assistance can be expected:

- Training on program rules and regulations, recordkeeping requirements, application procedures, food service operations, meal service techniques, nutrition concerns, nutrition education, and financial management;
- Institution and facility reviews to ensure that programs operate in accordance with Program regulations;
- Technical assistance and consultation as needed;
- Information on audit requirements;
- Outreach to nonparticipating, eligible adult day care settings;
- Timely processing of applications;
- Reimbursements for eligible meals and food service expenses;
- Cash-in-lieu of commodities;
- Forms, publications and guidelines to help operate the Program;
- Procedures for institutions to appeal decisions affecting participation or reimbursement; and
- Means to ensure that institutions do not discriminate against anyone because of the following protected classes: race, color, national origin, sex, age, disability.

Through MDHSS, other assistance is available to adult day care providers. This includes public health services and resource materials on a wide range of issues. Major areas in which assistance is available through either the local health agency or through the State or district health offices include:

- Dental health;
- Sanitation and environmental health;
- General health and safety; and
- Senior services.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL	6/91	3/12	1	1.5
CHAPTER Chapter 1 Introduction		SUBJECT Definitions - Adult Day Care Centers			

“Administrative Costs” means costs incurred by an institution related to planning, organizing, and managing a food service under the Program, and allowed by the State agency financial management instruction. These administrative costs may include administrative expenses associated with outreach.

“Administrative review” means the fair hearing that is provided upon request to an institution that has been given notice by the State agency of any action or proposed action that will affect their participation or reimbursement under the Program.

“Administrative review official” means the independent and impartial official who conducts the administrative review.

“Adult care center” means any public or private nonprofit organization or any proprietary title XIX or title XX center (as defined in this policy) which (a) is licensed or approved by Federal, State, or local authorities to provide nonresidential adult care services to functionally impaired adults (as defined in this policy) or persons 60 years of age or older in a group setting outside their homes on a less than 24 hour basis and (b) provides for such care and services directly or under arrangements made by the agency or organization whereby the agency or organization that maintains professional management responsibility for all such services. Such centers shall provide a structured, comprehensive program that provides a variety of health, social and related support services to enrolled adult participants through an individual plan of care.

“Adult day care program” means a group program designed to provide care and supervision to meet the needs of five (5) or more functionally impaired adults for periods of less than twenty-four (24) hours but more than two (2) hours per day in a place other than the adult’s own home.

“Adult care facility” means a licensed or approved adult day care center under the jurisdiction of a sponsoring organization.

“Adult participant” means a person enrolled in an adult day care center who is functionally impaired age 21 years or older or is 60 years of age or older.

“Alzheimer’s special care program” means any adult day care program that provides a designated separated program for Alzheimer’s disease or related disorder, to prevent or limit access by a participant outside the designated or separated area; or that advertises, markets or promotes the adult day care program as providing Alzheimer’s or dementia care services.

“Block Claim” means a claim for reimbursement submitted by a facility on which the number of meals claimed for one or more meal type (breakfast, lunch, snack, or supper) is identical for 15 consecutive days within a claiming period.

“Congregate meals” means meals consumed in a group setting.

“Current income” means income received during the month prior to application for free or reduced-price meals. If such income does not accurately reflect the household’s annual income, income shall be based on the projected annual household income. If the prior year’s income provides an accurate reflection of the household’s current annual income, the prior year may be used as a basis for the projected annual income.

“Department” means the U.S. Department of Agriculture.

“Dependent” means an individual or individuals who are economically dependent on the adult participant.

“Disqualified” means the status of an institution, a responsible principal or responsible individual, or an adult day care center that is ineligible for participation.

“Drop in” means adults who eat meals at the center but are not registered to receive care at the center are not “enrolled”. “Drop In” participants are not eligible to be claimed for meal reimbursement.

“Enrolled participant” means an adult participant enrolled in an adult day care center who is functionally impaired or is 60 years of age or older.

“Family” for the adult participant, means the adult participant, and if residing with the adult participant, the spouse and dependent(s) of the adult participant. For the adult residing with his or her children, the meaning of “family” applies to only the adult participant. The income of the adult children would not be counted when determining free or reduced meal eligibility, as they are not dependents.

“Federal Regulations” The Child and Adult Care Food Program is governed by the rules and regulations as defined in Code of Federal Regulations (CFR) Title 7, Volume 4, Chapter II, Part 226, (7CFR 226) effective September 1, 2004.

“Federal Fiscal year” means a period of 12 calendar months beginning October 1 of any year and ending with September 30 of the following year.

“Food service management company” means an organization other than a public or private non-profit school with which an institution may contract for preparing and, unless otherwise provided for, delivering meals, with or without milk for use in the Program.

“For-Profit-Title XIX center” means any private, for-profit center providing nonresidential adult day care services for which it receives compensation from amounts granted to the states under Title XIX of the Social Security Act and in which Title XIX beneficiaries were not less than 25 percent of enrolled eligible participants during the calendar month preceding initial application or annual reapplication for Program participation.

“For-Profit- Title XX center” means any private, for-profit center providing nonresidential adult day care services for which it receives compensation from amounts granted to the states under Title XX of the Social Security Act and in which Title XX beneficiaries were not less than 25 percent of enrolled eligible participants during the calendar month preceding initial application or annual reapplication for Program participation.

“Free meal” means a meal served under the Program to a participant from a family which meets the income standards for free meals, or to an adult who is automatically eligible for free meals by virtue of Supplemental Nutrition Assistance Program (formerly food stamp) recipient or is a SSI or Medicaid participant. Neither the participant nor any member of their family shall be required to pay or to work in the food service program in order to receive a free meal.

“Functionally impaired adult” means chronically impaired disabled persons 18 years of age or older, including victims of Alzheimer’s disease and related disorders with neurological and organic brain dysfunction, who are physically or mentally impaired to the extent that their capability 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, adaptive 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 limitation refers to the severity of the impairment, and not the number of limited activities, and occur when the degree of limitation is such as to seriously interfere with the ability to function independently.

“Group living arrangement” means 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. These individuals are eligible for the Program in adult day care.

“Household” means “family” as defined under the definition of family.

“Income standards” means the family-size and income standards prescribed annually for determining eligibility for free and reduced-price meals under the National School Lunch Program and the School Breakfast Program.

“Income to the Program” means any funds used in an institution’s food service program, including, but not limited to all monies, other than Program payments, received from other Federal, State, intermediate, or local government sources; payment for participant’s meals and food service fees; income from any food sales to adults; and other income, including grants from organizations or cash donations from individuals.

“Independent center” means an adult day care center that enters into an agreement with the State agency to assume final administrative and financial responsibility for Program operations.

“Institution” means a sponsoring organization or an adult day care center that enters into a contract with the State agency to assume final administrative and financial responsibility for Program operations.

“Internal controls” means the policies, procedures, and organizational structure or an institution designed to reasonably assure that: (a) the Program achieves its intended results; (b) Program resources are used in a manner that protects against fraud, abuse, and mismanagements and in accordance with law, regulations, and guidance; and (c) timely and reliable Program information is obtained maintained, reported and used for decision making.

“Meals” means food which is served as snacks, breakfast, lunch or supper to enrolled participants at an institution or adult day care facility and which meets the nutritional requirements of the Program.

“Medicaid” means *Title XIX* of the Social Security Act.

“Medicaid participant” means an adult participant who receives assistance under Title XIX of the Social Security Act, the Grant to States for Medical Assistance Programs – Medicaid.

“Milk” means pasteurized fluid types of unflavored or flavored milk, lowfat milk, skim milk, or cultured buttermilk that meet State and local standards for such milk. All milk should contain vitamins A and D at levels specified by the Food and Drug Administration and should be consistent with State and local standards for such milk.

“National disqualified list” means the list, maintained by the USDA, of institutions, responsible principals responsible individuals, and child care home providers disqualified from participation in the Program.

“Non-pricing program” means an institution in which there is no separate identifiable charge made for meals served to enrolled participants.

“Non-profit food service” means all food service operations conducted by the institution principally for the benefit of enrolled participants, for which all of the Program reimbursement funds are used solely for operation or improvement of such food service.

“Nonresidential” means that the same participants are not maintained in care for more than 24 hours on a regular basis.

“Notice” means a letter sent by certified mail, return receipt (or the equivalent private delivery service), by facsimile, or by email, that describes an action proposed or taken by a State agency or FNS with regard to an institution’s Program reimbursement or participation. Notice also means a letter sent by certified mail, return receipt (or the equivalent private delivery service), by facsimile, or by email, that describes an action proposed or taken by a sponsoring organization with regard to a day care home’s participation. The notice must specify the action being proposed or taken and the basis for the action, and is considered to be received by the institution or day care home when it is delivered, sent by facsimile, or sent by email. If the notice is undeliverable, it is considered to be received by the institution, responsible principal or responsible individual, or day care home five days after being sent to the addressee’s last known mailing address, facsimile number, or email address.

“Operating costs” means expenses incurred by an institution in serving meals to participants under the Program, and allowed by the State agency financial management instruction.

“Participant” means a person enrolled in an adult day care center who is functionally impaired or is 60 years of age or older.

“Pricing program” means an institution in which a separate identifiable charge is made for meals served to enrolled participants.

“Principal” means any individual who holds a management position within, or is an officer of, an institution or sponsored center, including all members of the institution’s board of directors or the sponsored center’s board of directors.

“Program” means the Child and Adult Care Food Program (CACFP) authorized by Section 17 of the National School Lunch Act, as amended.

“Reduced-price meal” means a meal served under the Program to a participant from a family that meets the income standards for reduced-price school meals. Any separate charge imposed shall be less than the full price of the meal, but in no case more than 40 cents for a lunch or supper, 30 cents for a breakfast, and 15 cents for a supplement, and for which neither the participant nor any member of his family is required to work in the food service program.

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

“Responsible principal or responsible individual” means a) a principal, whether compensated or uncompensated, who the State agency or FNS determines to be responsible for an institution’s serious deficiency; b) any other individual employed by, or under contract with, an institution or sponsored center, who the State agency or FNS determines is responsible for an institution’s serious deficiency; or, c) an uncompensated individual who the State agency or FNS determines to be responsible for an institution’s serious deficiency.

“SSI participant” means an adult participant who receives assistance under Title XVI of the Social Security Act, the Supplemental Security Income (SSI) for the Aged, Blind and Disabled Program.

“Seriously deficient” means the status of an institution or a day care home that has been determined to be non-compliant in one or more aspects of its operation of the Program.

“Shift care” is the term used to describe caring for participants during different time periods during the day. For example, a center that cares for 10 participants between 7:30-2:30 and another group of participants from 2:30-5:00 after the first group goes home is providing shift care.

“Sponsoring organization” means a public or nonprofit private organization which is entirely responsible for the administration of the food program in (a) one or more day care homes; (b) a child care center or outside-school-hours care center or adult day care centers which is a legally distinct entity from the sponsoring organization; (c) two or more child care centers or outside-school-hours centers or adult day care centers; or (d) any combination of child care centers, day care homes, adult day care centers and outside-school-hours care centers. The term “sponsoring organization” also includes an organization which is entirely responsible for administration of the Program in any combination of two or more child care centers, at-risk afterschool care centers, adult day care centers and outside-school-hours care centers, which meet the definition of *For-profit center* in this section and are part of the same legal entity as the sponsoring organization.

“State agency” means the State agency that has been designated by the Governor or other appropriate executive, or by the legislative authority of the State, and has been approved by the Department to administer the Program within the State or in states in which USDA - FNS administers the Program within the State. In Missouri, the Missouri Department of Health and Senior Services-Bureau of Community Food and Nutrition Assistance is the State agency for the CACFP and the Summer Food Service Program (SFSP).

“Suspended” means the status of an institution or day care home that is temporarily ineligible for participation (including Program payments).

“Suspension review” means the review provided, upon the institution’s request, to an institution that has been given a notice of intent to suspend participation (including Program payments), based on a determination that the institution has knowingly submitted a false or fraudulent claim.

“Suspension review official” means the independent and impartial official who conducts the suspension review.


“Title XVI” means Title XVI of the Social Security Act which authorizes the Supplemental Security Income for the Aged, Blind and Disabled Program – SSI.

“Title XIX” means Title XIX of the Social Security Act which authorizes the Grants to States for Medical Assistance Program – Medicaid.

“Title XX” means Title XX of the Social Security Act of 2002 which authorizes the social services Grants to States for services set forth in section 2001 of the Social Security Law.

“Unannounced review” means an on-site CACFP monitoring review for which no prior notification is given to the facility or institution.

Ref: 7CFR 226.2

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL	6/91	3/12	1	1.6
CHAPTER Chapter 1 Introduction		SUBJECT Acronyms			

ADC—Adult Day Care

BCFNA – Bureau of Community Food and Nutrition Assistance

CACFP – Child and Adult Care Food Program

CN – Child Nutrition

FNS – Food and Nutrition Service

IC – Independent Center

IEF—Income Eligibility Form

IRS – Internal Revenue Service

MDHSS – Missouri Department of Health and Senior Services

MOU – Memorandum of Understanding

MPRO – Mountain Plains Regional Office


SA—State Agency (MDHSS-BCFNA)

SLCR – Section for Long Term Care Regulation

SD—Serious Deficiency or Seriously Deficient

SO – Sponsoring Organization

USDA – United States Department of Agriculture

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL	6/91	8/12	2	2.1
CHAPTER Chapter 2 Eligibility Requirements		SUBJECT Private Non-Profit Centers			

To be eligible to participate in the CACFP, Adult Day Care Centers Must:

- Be Tax exempt under Internal Revenue Service (IRS) Code of 1986. [501(c)(3)]
- Be public or private non-profit
- Provide non-residential day care
- Be licensed by the MDHSS – Section for Long Term Care Regulation


The tax exempt status must be verified by submitting the determination letter from the Internal Revenue Service (IRS) with the initial application to the CACFP. **Organizations holding Missouri tax exempt status with the Secretary of State’s office without holding the Federal IRS tax exemption are not eligible to participate in the CACFP.** The institution may participate without tax exempt status if the institution is currently operating another Federal program which required non-profit status.

Adult day care centers cannot simultaneously participate in the charitable institutions commodity program and the CACFP. A single meal may not be supported by funds from both CACFP and Title III of the Older American’s Act of 1965 (OAA), including commodities (or cash in lieu of commodities) provided under Part C of Title III of the OAA.

Each institution shall accept final administrative and financial responsibility for Program operations. Institutions cannot contract out for the entire management of the Program.

Current law and regulation limits participation in the CACFP to centers providing non-residential adult day care. In certain emergency situations where overnight care is offered on an occasional basis, a center may be eligible for CACFP participation, and the enrolled participants may continue to be considered “non-residential” for Program purposes. The State Agency should be notified in advance as to the reason for the 24 hour care. CACFP benefits are intended to be available to serve individuals attending adult care while remaining in the community. Therefore, facilities which 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 facilities for the mentally ill or physically handicapped, convalescent homes, apartment complexes designed only for the functionally impaired that provide meals and full-time care, and hospice programs.

Reference: CACFP-361, August 30, 1993
 7CFR 226.19a(b)(4)
 CCFP-125, March, 21, 1989
 CACFP 21-2012, August 7, 2012

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL	6/91	8/12	2	2.2
CHAPTER Chapter 2 Eligibility Requirements		SUBJECT Private For-Profit Centers			

To be eligible to participate in the CACFP, Private For-Profit Centers must:

- Have at least 25% of participants enrolled* receiving Title XIX (Medicaid) or Title XX of the Social Security Act benefits
- Provide non-residential day care
- Be licensed by MDHSS-Section for Long Term Care Regulation (SLCR)

Each institution shall accept final administrative and financial responsibility for Program operations. Institutions cannot contract out for the entire management of the Program.


For each month of the contract period, the institution must determine the percentage of enrolled participants who are Title XX and/or Title XIX beneficiaries. If less than 25% of the enrolled participants are Title XX and/or Title XIX beneficiaries, the institution cannot claim meals for that month. For the purposes of the Child and Adult Care Food Program, enrollment is defined as any participant who was enrolled, is eligible for CACFP benefits, and attended at least one day during the month. A participant is considered a Title XIX or Title XX beneficiary if he/she was a recipient of the particular funding source for at least one day in the claim month. See Section 4.4 for more information on determining for-profit eligibility.

Adult day care centers cannot simultaneously participate in the charitable institutions commodity program and the CACFP. A single meal may not be supported by funds from both CACFP and Title III of the Older American's Act of 1965 (OAA), including commodities (or cash in lieu of commodities) provided under Part C of Title III of the OAA.

Current law and regulation limits participation in the CACFP to centers providing non-residential adult day care. In certain emergency situations where overnight care is offered on an occasional basis, a center may be eligible for CACFP participation, and the enrolled participants may continue to be considered "non-residential" for Program purposes. The State Agency should be notified in advance as to the reason for the 24 hour care. CACFP benefits are intended to be available to serve individuals attending adult care while remaining in the community. Therefore, facilities which 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 facilities for the mentally ill or physically handicapped, convalescent homes, apartment complexes designed only for the functionally impaired that provide meals and full-time care, and hospice programs.

*A center receiving both Title XIX and Title XX funds may establish eligibility based on the combined number of Title XIX and Title XX participants.

Reference: CACFP-361, August 30, 1993
7CFR 226.19(b)(6)
CACFP 21-2012, August 7, 2012

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL	6/91	8/12	2	2.3
CHAPTER Chapter 2 Eligibility Requirements		SUBJECT Public Non-profit Centers			

To be eligible to participate in the CACFP, Public Non-profit Centers must:

- Provide non-residential day care
- Be licensed by MDHSS- Section for Long Term Care Regulation (SLCR)


Public centers are centers owned and operated by city, county or state governmental entities. All public centers must be licensed by the MDHSS-Section for Long Term Care Regulations to ensure that minimum standards are met.

Adult day care centers cannot claim CACFP reimbursement for the same meals claimed under Part C of title III of the Older Americans Act of 1965.

Each institution shall accept final administrative and financial responsibility for Program operations. Institutions cannot contract out for the entire management of the Program.

Current law and regulation limits participation in the CACFP to centers providing non-residential adult day care. In certain emergency situations where overnight care is offered on an occasional basis, a center may be eligible for CACFP participation, and the enrolled participants may continue to be considered “non-residential” for Program purposes. The State Agency should be notified in advance as to the reason for the 24 hour care. CACFP benefits are intended to be available to serve individuals attending adult care while remaining in the community. Therefore, facilities which 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 facilities for the mentally ill or physically handicapped, convalescent homes, apartment complexes designed only for the functionally impaired that provide meals and full-time care, and hospice programs.

Reference: 7CFR 226.19a(b)(6)
 CACFP 21-2012, August 7, 2012

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM		ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL		6/91	8/12	2	2.4
CHAPTER Chapter 2 Eligibility Requirements			SUBJECT Standards for Participation			

Adult day care centers eligible to apply to receive CACFP funds must meet the following eligibility requirements:


- Be licensed by the Missouri Department of Health and Senior Services-Section for Long Term Care Regulation (SLCR).
- Be public or private non-profit.
- Be private for-profit (see Section 2.2)
- Be a community-based group program.
- Provide services to functionally impaired disabled adults age 18 years and older or to individuals age 60 years and older.
- Provide care in a group setting outside the participant’s home on a less than 24 hour basis.
- Offer a structured, comprehensive program that provides a variety of health, social and related support services.
- Develop and maintain an individual plan of care for each functionally impaired participant. The plan of care is designed to maintain the participant at his or her current level or restore the participant to a level of self-care. The plan must be written and should contain at a minimum:
 - a. An assessment of the individual’s strengths and needs based on information obtained from the participant and/or his/her family members, a health profile, mental and emotional status, daily living skills, support services available to the individual, possible need for services from other service providers, and a current medical examination.
 - b. A written plan of service, based on the assessment discussed above which specifies the goals and objectives of the planned care, the activities 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.

People in residential institutions, sheltered workshops, vocational or substance abuse rehabilitation centers and social centers are **not** eligible for CACFP benefits. Their primary purpose or services are other than to provide day care to frail and elderly adults to avoid premature institutionalization by allowing families a respite from care-giving. Individuals who are residing in any institution on a temporary basis for “respite care” or “crisis intervention” are **not** eligible to receive CACFP benefits.

Current law and regulation limits participation in the CACFP to centers providing non-residential adult day care. CACFP benefits are intended to be available to serve individuals attending adult care while remaining in the community. Therefore, facilities which provide residential care are not eligible to participate in 2.4 Adult P & P

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

Reference: 7 CFR 226.19a
CCFP 124, March 21, 1989
CCFP 133, April 17, 1989
CACFP 21-2012, August 7, 2012

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	8/12	2	2.5
CHAPTER Chapter 2 Eligibility Requirements				SUBJECT Participant Eligibility			


Current law and regulation limits participation in the CACFP to centers providing non-residential adult day care. The purpose of the adult day care must be to serve individuals who reside in the community with family members or other care givers who would benefit from the respite adult day care services provide. CACFP benefits are intended to be available to serve individuals attending adult care while remaining in the community. Therefore, facilities which 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 facilities for the mentally ill or physically handicapped, convalescent homes, apartment complexes designed only for the functionally impaired that provide meals and full-time care, and hospice programs.

An adult participant must be either functionally impaired and 18 years or older or be 60 years of age or older and be receiving care in a group setting outside their home or a group living arrangement on a less than 24 hour basis. Participant eligibility must be determined on an individual basis.

Participants who are not eligible for CACFP benefits should not be counted as an enrolled participant for the purposes of determining CACFP eligibility as a for-profit center and receipt of Program reimbursement.

Drop-in adults who eat meals at the center but are not “registered” to receive care at the center are not “enrolled.” Center volunteers, regardless of age, who help with the meal service or the center activities can not be considered enrolled in the center for purposes of receiving CACFP reimbursement unless they are actually enrolled at the center with an individual plan of care and meet CACFP eligibility requirements.

Reference: CCFP-124, March 21, 1989
 7CFR 226.19
 CACFP 21-2012, August 7, 2012

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL	6/91	3/12	1	3.1
CHAPTER Chapter 3 Program Application		SUBJECT Application Forms to Complete			

An application for participation in the Child and Adult Care Food Program (CACFP) must be submitted to the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) with a renewal submitted on an annual basis. The types of forms to be submitted are dependent upon the type of institution (public, private non-profit, private for-profit, independent or sponsoring organization) applying to the Program. An **independent center** enters into a permanent contract with the MDHSS-BCFNA to assume final administrative and financial responsibility for Program operations. A **sponsoring organization** enters into a permanent contract to be entirely responsible for the administration of the food program in two or more day care centers.

CACFP application information is located on the CACFP website at: <http://www.health.mo.gov/cacfp>
 Print the application packet and instructions for Adult Day Care Centers. Complete the forms, sign, and date and submit the following information according to the instructions either via U.S. Postal Service, via fax or on-line as instructed:

First Time Applicants - All Independent Centers must complete and submit:

- Application and Management Plan 6 pages (CACFP-1)
- Application/Center Information, 4 pages (CACFP-2)
- Budget (CACFP-209) completed for the organization
- Menu forms (CACFP-210); submit two (2) weeks of menus for each meal served
- Network User Access Request form (MO 580-1854E)
- Vendor Input/ACH-EFT Application – direct deposit to a financial institution is required
- Copy of current adult day care license issued by the MDHSS-Section for Long Term Care Regulation
- Copy of local public health sanitation inspection in accordance with 19 CSR 30-90.050(7)
- Copy of food service management company or school food authority contract (catered food service only)
- Signed Memorandum of Understanding (MOU) from the E-Verify work authorization program

For-Profit Centers Must Also Complete and Submit:

- Copy of the current contract with Medicare/Medicaid


Non-Profit Centers Must Also Submit:

- Copy of IRS letter – 501 c (3) tax exemption status
- Board of Directors listing
- Organization By Laws
- Statement of affiliation form (CACFP-208) when part of a larger organization

Sponsoring Organizations of (multiple) Centers Must Complete and Submit:

- Application and Management Plan 6 pages (CACFP-1)
- Application/Center Information, 4 pages (CACFP-2) for each center under the sponsoring organization's jurisdiction
- Budget (CACFP-209) for the organization
- Network User Access Request form (MO 580-1854E)
- Vendor Input/ACH-EFT Application – direct deposit to a financial institution is required
- Copy of current adult day care license issued by the MDHSS-Section for Long Term Care Regulation for each center
- Copy of local public health sanitation inspection in accordance with 19 CSR 30-90.050(7)
- Menu forms (CACFP-210); submit two (2) weeks of menus for each meal served for each center
- Copy of food service management company or school food authority contract (catered food service only) for each center
- Signed Memorandum of Understanding (MOU) from the E-Verify work authorization program
- Copy of the current contract with Medicare/Medicaid
- Copy of IRS letter – 501 c (3) tax exemption status for any non-profit center
- Board of Directors listing
- Copy of By Laws
- Statement of affiliation form (CACFP-208) when part of a larger organization for any non-profit center

Ref: 7 CFR 226.19a
CACFP-1999-9-29
19 CSR 30-90.050 (7)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL	6/91	3/12	3	3.2
CHAPTER Chapter 3 Program Application		SUBJECT Application Review Process			

New CACFP Contracts:

An independent center or sponsoring organization that is applying to participate in the Child and Adult Care Food Program (CACFP) for the first time will submit an application to the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA).

Application packets are available on the CACFP web page at: www.health.mo.gov/cacfp.

Within 15 calendar days from receipt of the application, MDHSS-BCFNA will notify the institution of any information needed to complete the application for approval. When the center application meets all requirements, the institution’s application is approved and a program services contract is issued. The contract will be dated for the day that the application is approved and cleared by the Division of Administration. This date is considered the first day the institution is eligible to claim meals.

If the institution’s application is denied, the institution will be given the reasons for the denial and an opportunity to file an appeal. Applications may be denied for newly applying institutions under the following conditions:

- The submission of false information on the application, including but not limited to a determination that the institution has concealed a conviction for any activity that occurred during the past seven years and that indicates a lack of business integrity. 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 activity indicating a lack of business integrity.
- MDHSS-BCFNA is prohibited from approving an institution’s application if, during the past seven years, the institution or any of its principals have been declared ineligible for any other publicly funded program by reason of violating that program’s requirements. However, this prohibition does not apply if the institution or principal has been fully reinstated in, or determined eligible for that program.
- Any other action affecting the institution’s ability to administer the Program in accordance with Program requirements.

Annual Renewals:

Participating centers or sponsors are required to update the online/web-based application (Sponsor and Center Information Sheets and Budget and or Management Plan) on an annual basis. The CACFP web-based application (Center Information Sheet(s) and Sponsor Information Sheet) is found at:

<https://dhssweb04.dhss.mo.gov/cnp/frameManager.asp>. Selected organizations will complete an online budget as part of the renewal process. All Sponsoring Organizations of multiple centers must complete the web based Management Plan and Budget.

Contracts are mailed with the original application and dated for start date of the contract. Contracts are permanent starting October 1, 2010. The application renewal process must be completed on or before the end of September to assure uninterrupted participation in the CACFP.

In situations where the update applications are received after the due date, MDHSS-BCFNA may allow a participating center or sponsor to claim meals for the one month prior to the month of application received. However, under no circumstances will a contract be backdated further than the month prior to the month of the application is received.


A renewal application for participation in CACFP may be denied for the following reasons:

- Submission of false information on the application, including but not limited to a determination that the institution has concealed a conviction for any activity that occurred during the past seven years and that indicates a lack of business integrity. 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 activity indicating a lack of business integrity;
- Permitting an individual who is on the National Disqualified List to serve in a principal capacity with the institution or, if a sponsoring organization, permitting such an individual to serve as a principal in a sponsored center;
- Failure to operate the Program in conformance with standards set forth in federal regulations;
- Failure to comply with the bid procedures and contract requirements of applicable Federal procurement regulations;
- Failure to maintain adequate records;
- Failure to adjust meal orders to conform to the variations in the number of participants;
- Claiming reimbursement for meals not served to participants;
- Claiming reimbursement for a significant number of meals that do not meet Program requirements;
- Failure of a sponsoring organization to disburse payments to its facilities in accordance with regulations, or in accordance with its management plan;
- Failure by a sponsoring organization to properly train or monitor sponsored facilities in accordance with regulations;
- Failure to perform any of the other financial and administrative responsibilities required by regulation;
- The fact that the institution or any of the institution's principals have been declared ineligible for any other publicly funded program by reason of violating that program's requirements. However, this prohibition does not apply if the institution or the principal has been fully reinstated in, or is now eligible to participate in, that program, including the payment of any debts owed;

- Any other action affecting the institution's ability to administer the Program in accordance with Program requirements.

Any decision made by MDHSS-BCFNA to deny an application can be appealed. See Chapter 12 for details.

Reference: 7CFR226.6(b)(1) and (2)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL	6/91	3/12	3	3.3
CHAPTER Chapter 3 Program Application		SUBJECT Updating Application Information			


The institution shall inform the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) if any of the application information changes throughout the program year. Failure to promptly notify MDHSS-BCFNA of changes could result in delay or denial of CACFP reimbursement.

MDHSS-BCFNA shall be notified if any of the following changes occur:

- **Licensing Status or Number** – The institution must inform MDHSS-BCFNA of any changes in licensing status. Institutions shall notify MDHSS-BCFNA if their license is suspended, dissolved or revoked. An institution cannot claim reimbursement in any time period when the license is outdated or revoked. If a license is renewed or the licensed capacity of the institution is increased or decreased during the program year, the institution shall inform MDHSS-BCFNA. Change of license number for any reason, or change from single proprietor to incorporation or LLC requires a new application.
- **Change in Ownership** – The institution must inform MDHSS-BCFNA in writing of a change in ownership status of the institution. In order to prevent an assessment of an over claim or a denial of reimbursement, it is critical that MDHSS-BCFNA be advised **before** the transfer occurs. A new application is required when a change in ownership occurs.
- **Change in Authorized Representative or authorized “user”**– The institution must inform MDHSS-BCFNA in writing of any changes in authorized representative(s) or authorized “user(s)”. This will prevent delayed or denied claims and assist MDHSS-BCFNA to track and provide the required training for new staff.
- **Change in Address*** – The institution must inform MDHSS-BCFNA of all changes in the address. The location of the institution’s current place of business and hours of operation must be on file. An incorrect address in the file could result in a serious deficiency if found during the monitoring visit.
- **Tax-Exempt Status** – Institutions must notify MDHSS-BCFNA immediately if tax-exempt status is revoked. Revocation of tax-exempt status may result in ineligibility for the Program.
- **Changes in Care** – An institution must notify MDHSS-BCFNA if changes are made in hours of operation.
- **Changes in Meals Claimed**– An institution must notify MDHSS-BCFNA of any changes in meals claimed. If an institution decides to provide (and claim) an additional meal, a written request and two weeks of menus for that meal shall be submitted to MDHSS-BCFNA. Menus must be reviewed and approved by MDHSS-BCFNA before the additional meal may be claimed for reimbursement.

- **Change in Meal Service Times*** - An institution must notify MDHSS-BCFNA of any changes in meal service times. Meal time changes may be done electronically but must comply with parameters set forth in Policy 7.8, Meal Service Times and Duration.
- **Changes in Claim Processing** – An institution must notify MDHSS-BCFNA when they make a decision to stop filing CACFP claims. The institution will still be responsible for overclaim payments and must retain all CACFP records for three years after claim submission has stopped.
- **Institution Closure** – The institution must notify MDHSS-BCFNA when a closure is planned. The date of the last operational day shall be submitted in advance, all claims processed, and a method established to make any overclaim/debt repayments.


Authorized users can make changes and updates electronically on the CACFP application website at: <https://dhssweb04.dhss.mo.gov/cnp>. Only those with authorized web User access may make the changes and updates to the Sponsor Information Sheet and the Center Information Sheet(s) on the website. The Sponsor Information Sheet and or the Center Information Sheets must be in PENDING APPROVAL status in order to be approved by the BCFNA staff.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			3/91	3/12	3	3.4
CHAPTER Chapter 3 Program Application				SUBJECT Contract			

The Program Service contract with the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) is a written legal contract which details expectations between the provider and MDHSS-BCFNA. Attached to the contract are the Scope of Work and Terms and Conditions which list the expectations. All CACFP institutions must sign a contract and submit it to MDHSS-BCFNA before any reimbursement can be paid. The contract is considered permanent.

Pursuant to 285.530 RSMo, the Contractor must affirm the Contractor’s enrollment and participation in a federal work authorization program with respect to the employees proposed to work in connection with the CACFP services requested. The Contractor should complete and submit the E-Verify form and an Affidavit of Work authorization with the contract. These two documents must be submitted prior to an award of a contract.


The contract is one of the records that must be available to the MDHSS-BCFNA Nutritionist within one hour of arrival for a monitoring review. As the contract is a permanent document it should be retained in your files with all Program records for as long as the organization participates in CACFP and for a period of at least three years after the closing of the center.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	7/17	4	4.1
CHAPTER Chapter 4. The Reimbursement System				SUBJECT Reimbursement Rates			

Institutions will be reimbursed with the following rates. These rates are effective July 1, 2017, through June 30, 2018

	<u>Breakfast</u>	<u>Lunch/Supper*</u>	<u>Snack</u>
Free	1.75	3.4625	.88
Reduced	1.45	3.0625	.44
Paid	.30	.5425	.08

*The rate for lunch/supper includes \$.2325 cents for each lunch and supper as cash-in-lieu of commodities.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL	3/91	3/12	4	4.2
CHAPTER Chapter 4 The Reimbursement System		SUBJECT Deadlines for Claim Submission			

All claims for meal reimbursement are filed via the Internet at: <https://dhssweb04.dhss.mo.gov/cnp>. Each user of the CACFP web system must have his or her personal user ID and password, which cannot be shared with anyone. Contractors that do not have access to the computer or the Internet may contact the Central Office to make alternative arrangements to submit claims.

An online claim is considered “submitted” when it is in **Pending Approval** status at the sponsor level and, if required, all supporting documents have been submitted and received (for example, menus, meal counts, milk purchase receipts). Claims in **Error** status or **Pending Submission** status may be modified, and have not been certified by you as true and correct, so are not considered submitted to the state office for approval. The timeframe within which a claim can be submitted for a particular month is indicated in the Claims portion of the Sponsor Summary on the CACFP web system. Failure to properly submit a valid claim (with all supporting documentation, as requested or required) will result in non-payment of the claim. MDHSS-BCFNA will delete claims that remain in Error or Pending Submission status or in Pending Approval Status without supporting documentation after 90 days from the last day of the claim month.

An exception may be granted to an institution once every 36 months for exceeding the 60-calendar day deadline while on the Program. The institution (independent sponsor or sponsoring organization) must submit a Corrective Action Plan before an exception can be granted. As noted above, the official submission date of a claim is the day the claim is put into **Pending Approval** status *and* when any required supporting documentation (if necessary) has been received by MDHSS-BCFNA.

Revised claims resulting in additional reimbursement to the institution shall be submitted to MDHSS-BCFNA within 90 calendar days from the last day of the claim month. Claims submitted after the 90-calendar day deadline shall not be processed. Revised claims resulting in a reduction of reimbursement shall be submitted to MDHSS-BCFNA as soon as possible after notification to complete a revision. Reductions of reimbursement can be taken anytime and back to the date of the error.

MDHSS-BCFNA processes claims twice a month (see schedule below). Claims must be in Pending Approval status in the MDHSS-BCFNA web system on or before the 10th of the month for the first closing. Any claims received after the 10th of the month will be held until the next cycle for processing. Claims put in Pending Approval status by the 25th of the month will be processed in the second cycle. Claims put in Pending Approval status after the 25th of the month will be processed in the first cycle of the following month.


1 st Deadline	1 st Check Issue Date, Projected	2 nd Deadline	2 nd Check Issue Date, Projected
10 th of the month	28 th of the month	25 th of the month	13 th of the month

CACFP claims are direct deposited. If you do not receive your payments within 15 days of the projected payment date, contact MDHSS. Claims submitted by the institution prior to the 10th or 25th of the month that do not pass system edits, will be returned for correction and will be processed in the next cycle immediately following the submission of the corrected claim.

In submitting the claim for reimbursement, each institution is certifying that the claim is correct and that records are available to support the claim. These records shall be retained for a period of three years after the end of the fiscal year to which they pertain. Records shall be retained beyond the end of the three-year period if findings result from an audit. In those cases, records shall be maintained for as long as required to resolve the issues raised by the audit.

All accounts and records pertaining to the Program shall be made available upon request to representatives of the MDHSS-BCFNA, MDHSS-Auditor, the U.S. Department of Agriculture, and the U.S. General Accounting Office for audit or review, during normal days and hours of operation of the institution. See Section 8.3 for information on records that must be maintained to support the claim for reimbursement.

Failure to have records available to support the claim for reimbursement shall result in a disallowance of the claim. **All records must be maintained on-site at the institution (for centers with a single site), or at the address designated in the Sponsoring Organization of Centers' management plan for contractors with two or more centers under their jurisdiction.**

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL	3/91	3/12	4	4.3
CHAPTER Chapter 4 The Reimbursement System		SUBJECT Claims Processing			

Claims for reimbursement are processed based on the following schedule:

1 st Deadline	1 st Projected Claim Deposit Date	2 nd Deadline	2 nd Projected Claim Deposit Date
10 th of the month	28 th of the month	25 th of the month	13 th of the month


Please be advised that Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) **cannot** guarantee an exact direct deposit date.

Monthly claims are entered into the CACFP web system. Any errors on the claim will cause the claim to be rejected by the system. MDHSS- BCFNA will notify the institution of the type of error and what needs to be done to correct the information. The error must be corrected before the system will process the claim. Correction of errors may delay payment until the next processing cycle; therefore, accuracy in completion of the claim is vital for timely payment. All returned or revised claims must be received in the MDHSS-BCFNA office within 90 calendar days from the last day of the claim month. All claims must be submitted via the online system at: <https://dhssweb04.dhss.mo.gov/cnp>, unless alternate arrangements have been made.

Once the claim is processed by MDHSS-BCFNA, information is sent to the Missouri Office of Administration to be paid.

Listed here are error messages common to the on line claim process:

- Attendance is not completed or is completed incorrectly. Attendance must be a cumulative total of all enrolled participants attending for each day of the claim month.
- The meal count data is not completed or completed incorrectly. The meal count must be a cumulative total of children recorded by meal and compared to the daily attendance record.
- Institution claims unauthorized meals. An institution can claim only those meals for which it is approved. If an institution adds a meal to its service, it must notify MDHSS-BCFNA immediately and submit a two week menu for approval before the additional meal can be claimed for reimbursement.
- The center claims meals in excess of licensed capacity or number of participants enrolled.
- The license has expired and is not effective for the claim month.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL	6/91	3/12	4	4.4
CHAPTER Chapter 4 The Reimbursement System		SUBJECT For-Profit Centers			

A for-profit center approved for the Program may submit a claim for reimbursement only for months when at least 25% of the enrolled participants receive Title XX and/or Title XIX benefits **or** at least 25% are eligible for free or reduced-priced meals based on the Income Eligibility Guidelines. Independent for-profit centers and sponsoring organizations of for-profit centers must submit the total number of enrolled participants and the number of participants receiving Title XX and/or Title XIX benefits or participants eligible for free or reduced meals for each month that CACFP reimbursement is claimed.

A center receiving both Title XX and Title XIX funds may establish eligibility based on one source or the other, or on both sources combined. To evaluate eligibility, the following steps must be taken each month:

Determine how many enrolled participants were in attendance at least one day for the month being claimed. Enrolled participants in attendance include part-time and full time enrollment. Participants such as drop-ins who are not enrolled at the center are not eligible for CACFP benefits and should not be counted as an enrolled participant for the purposes of determining CACFP eligibility and receipt of Program reimbursement.

- Determine how many Title XX and/or Title XIX beneficiaries or free or reduced eligible participants enrolled at the center were in attendance at least one day for the month being claimed.
- Divide the number of Title XX and/or Title XIX and free/reduced eligible participants by the total number of participants in attendance for the claim month. If this number is greater than or equal to .25, you may submit a claim for reimbursement for that month. If the number is less than .25, your center is not eligible to claim for the month. The numbers cannot be rounded up to make 25%.


For example:

After reviewing the attendance records for the month of October, it is found that 53 enrolled participants came at least one day during the month. Of those 53 participants, 13 were Title XX and/or Title XIX participants who attended at least one day during the month.

$$13 \text{ divided by } 53 = .2453$$


The center could not claim for October because .2453 is less than .25, and may not be rounded up to .25.

Reference: 7CFR 226.19(b)(6)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	3/12	4	4.5
CHAPTER Chapter 4 The Reimbursement System				SUBJECT Participation Controls			


The Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition will not reimburse an institution for meals served in excess of the licensed capacity and daily attendance.

For-profit institutions will not be reimbursed for meals served when less than 25 percent of the enrolled participants are Title XX or Title XIX beneficiaries **or** when less than 25% of the enrolled participants are approved for free or reduced-priced meals.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM		ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL		3/91	3/12	4	4.6
CHAPTER Chapter 4 - The Reimbursement System			SUBJECT Changes in Authorized Representative			

The Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) must be notified in writing any time there is a change in the authorized representative or authorized web system “user” contact information. The authorized representative at the institution is the person who is approved to enter the monthly claim for reimbursement.

Failure to notify MDHSS-BCFNA can cause a delay or denial of payment of the claim for reimbursement. Refer to policy 3.3 for additional information.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM		ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL		6/06	3/12	4	4.7
CHAPTER Chapter 4 The Reimbursement System			SUBJECT Access to the CACFP Web-Based System			


Individuals request access to the CACFP Web-based system by completing a Network User Access Request form (MO-300-1608E) located at: <http://health.mo.gov/living/wellness/nutrition/foodprograms/cacfp/appsforms.php> Access is granted to individuals on behalf of the contracted institution, blanket access is not granted. Individual user ID's and passwords **may not** be transferred to others or shared.

The individual user or the authorized representative must contact the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) in writing if the user is leaving employment or changing job duties, so that access may be revoked immediately.

Misuse of another individual's user ID and password will not be tolerated. Access will be revoked immediately, and may only be restored by submitting a Corrective Action Plan to MDHSS-BCFNA detailing how individual passwords will be protected and not shared. Claims for reimbursement submitted through misuse of another individual's user ID and password will be considered invalid, and must be repaid in full to the MDHSS-BCFNA.

The following additional measures will be taken to ensure the security of the institution's access to the CACFP web-based system:

- The owner or the CACFP authorized representative named on the CACFP Application must sign the Network User Access Request Form.
 - *If the CACFP authorized representative changes after the application is submitted, the MDHSS-BCFNA must be notified by letter. The letter should include the signature of the new CACFP authorized representative.*
- The number of individuals allowed access for an independent center is limited to two people.
- An individual's User access will be deleted if the user does not log-in to the system for a continuous six-month period.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL	6/1/02	3/12	4	4.8
CHAPTER Chapter 4 The Reimbursement System		SUBJECT Mandatory Training Requirement			

New adult day care centers will receive on site orientation training from a Nutritionist as part of the application for participation in the CACFP. Once an application is received, the District Nutritionist in your area will schedule an on-site orientation at the center. Program approval will not be granted until the center has received orientation training and verification is on file in the Bureau of Community Food and Nutrition Assistance (BCFNA) Central Office.

Mandatory training may also be necessary if noted as a “required action” item from a monitoring review. The Program review letter will outline the training required by the District Nutritionist.

Special topics training for the CACFP are scheduled routinely in each of the five district office locations listed below. Centers are responsible for scheduling their own appointment to attend a training session. View the “Training” information by topic and location or make reservations on-line at: <http://health.mo.gov/living/wellness/nutrition/foodprograms/cacfp/training.php> Reservations are required due to limited space.

Locations for Special Topics Training

Northwestern District Health Office - Kansas City
 3717 Whitney Ave.
 Independence, MO 64055


Eastern District Health Office - St. Louis
 220 South Jefferson
 St. Louis, MO 63103

Southwestern District Health Office – Springfield
 149 Park Central Square, Suite 116
 Springfield, MO 65801

Cape Girardeau Public Library
 711 N. Clark
 Cape Girardeau, MO 63701

Central Office – Jefferson City
 Missouri Department of Health and Senior Services
 Bureau of Community Food and Nutrition Assistance
 930 Wildwood
 Jefferson City, MO 65102
 800-733-6251

Reference: 7CFR 226.6(a)(2)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL	7/11	3/12	4	4.9
CHAPTER Chapter 4 – The Reimbursement System		SUBJECT Block Claim			

According to 7 CFR 226.2, a “block claim” means a claim for reimbursement submitted by a facility in which the number of meals (not participants) claimed for one or more meal type (breakfast, lunch, snack, or supper) is identical for 15 consecutive days within a claiming period. Prior to submitting the consolidated monthly claim, the independent center and/or sponsoring organization (SO) must perform edit checks on each facility’s meal claim. The edit check is a means to detect a block claim. The number of participants enrolled for care at each facility multiplied by the approved number of operating (serving) days should be compared to the total number of meals claimed by the facility for that month. It is the center or sponsor’s responsibility to verify submission of a valid claim. Following is an example of a suspected block claim:

Meal Count Data	(A)	(B)	(C)	(D)	(E)	(F)
Meal Type	Breakfast	AM Snack	Lunch	PM Snack	Supper	Night Snack
(8) Free	1,176	0	1,176	1,176	0	0
(9) Reduced	0	0	0	0	0	0
(10) Paid	0	0	0	0	0	0
(11) Total Meals	1,176	0	1,176	1,176	0	0
(12) Average Daily Participation	53.45	0	53.45	53.45	0	0


The identification of a block claim does not automatically signal a false claim. Rather the edit check functions as a “red flag” to alert the center/sponsor to a possible problem with the claim. The Healthy, Hunger-Free Kids Act of 2010, Public Law 111-296, was signed into law on December 13, 2010 modifies the requirement for edit checks and follow-up reviews relating to the detection of block claims in the Child and Adult Care Food Program (CACFP).

Sponsoring organizations (contractors with two or more centers) are no longer required to conduct an unannounced follow-up review when a facility submits a suspected block claim. Although they are no longer required, sponsoring organizations may, at their discretion, retain block claim edit checks. Two other sponsor-level edit checks are still in effect which includes:

- The requirement to verify the provider is claiming only the approved meal types; and
- The comparison of the number of enrolled participants multiplied by the number of days of operation to the total meal claimed for the month.

Discrepancies between the facility’s meal claim and its enrollment must be subjected to more thorough review to determine if the claim is accurate.

Reference: CACFP Policy #03-05, July 1, 2005; CACFP 15-2007, August 27, 2007
 CACFP 03-2011, December 17, 2010
 7 CFR 226.10(c)(2)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	3/12	5	5.1
CHAPTER Chapter 5 - Requirements of Management – IC’s				SUBJECT Independent Adult Day Care Centers – Application Renewal Information			

Adult day care centers will update the CACFP web-based Sponsor Information Sheet, Center Information Sheet and/or Budget (when indicated) as part of the annual renewal process at: <https://dhssweb04.dhss.mo.gov/cnp>. Some information from the previous fiscal year will be automatically carried forward into the new fiscal year Sponsor Information Sheet and Center Information Sheet. The contractor is responsible for entering the information that is not carried forward from the previous fiscal year. The federal fiscal year runs from October 1 – September 30.

It is vital that the institution keep MDHSS-BCFNA updated on changes regarding any information which could affect the meals claimed or the center’s participation in the CACFP. Center information should be updated on an as needed basis (See 3.3 for details). The center must contact MDHSS-BCFNA in writing (postal service or via e-mail) or by phone when the following changes occur:


- **Licensing status or number**
- **Tax exempt status**
- **Change in ownership**
- **Change in authorized representative or authorized “user”**
- **Changes in hours of care**
- **Changes in personnel or capacity**
- **Change in meals claimed**
- **Changes in meal service times**
- **Change in address***
- **Changes in claim processing**
- **Institution closure**

Failure to update this information could cause a claim for reimbursement to be denied. For example:

XYZ center has a licensed capacity of 50 on October 1, 2010. On January 20, 2011, XYZ’s licensed capacity is increased to 100. If this information is not updated in the CACFP computer system files, the January claim for reimbursement will be rejected because the computer will show XYZ is claiming meals in excess of their licensed capacity.

*NOTE: Change can be updated electronically on the application website at:

<https://dhssweb04.dhss.mo.gov/cnp>

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM		ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL		6/91	3/12	5	5.2
CHAPTER Chapter 5 - Requirements of Management – IC’s			SUBJECT Independent Centers – Required Recordkeeping			

Independent adult day care centers receiving payment from the Child and Adult Care Food Program (CACFP) are required to maintain accurate records. The records must support the monthly claim for reimbursement and verify that all Program requirements are met. All records (original documentation) must be retained for a period of three years after the end of the fiscal year to which they pertain. If audit findings have not been resolved, the records shall be retained beyond the end of the three year period as long as may be required for the resolution of the issues raised by the audit.

All required records must be maintained on location during licensed hours of business and available for review within one hour of arrival by federal and state officials. Failure to make any/or all records available within one hour of arrival to MDHSS-BCFNA representative may result in review findings, corrective action and/or overclaims.

Independent centers shall maintain the following records (original documentation):

1. **Menus.** Menus must be dated and indicate all components that were served. Menus (original documentation) must be maintained for each meal claimed for reimbursement.
2. **Plan of care.** All functionally impaired participants claimed for reimbursement must have an individual plan of care.
3. **Enrollment documents for each participant claimed. All participants claimed for reimbursement must be enrolled at the center for care.** Centers must maintain a master listing to include: a) all enrolled eligible participants, b) date of birth, c) the claiming category for each participant, and c) the date the Income Eligibility Form (IEF) was signed by center personnel. Use of the master listing will assist in keeping the IEFs updated as required on an annual basis.
4. **Daily attendance records.** Daily attendance records must be maintained for each participant. The attendance records **cannot** be used as a basis for completing the meal count record. However, the attendance records should support the meal count records. For example, if John Doe was claimed for a meal on October 17, the attendance records should indicate that John Doe was present at the center on October 17.
5. **Meal count records.** Each monthly claim for reimbursement must be supported by meal count records for each meal served during the month. The meal count records must indicate the daily number of meals served to participants by meal type (breakfast, lunch, supper, or snack). Center personnel must physically record (manually with pen and paper) each meal at the time the meal is served (“point of service meal count”)*. A total head count or head count of participants by eligibility category (free, reduced, and paid) is not sufficient. A maximum of two meals and one snack or two snacks and one meal may be claimed per participant per meal on a daily basis.

***USDA has stated that the point of service (POS) meal count must be done manually using paper and pen/pencil.** This is to ensure that the participant receives a reimbursable meal and to identify which participant received the meal. For these reasons, use of biometric (finger imaging) or other computerized meal accounting systems are not approved as a substitute for manual POS meal count recording.

6. **Non-profit food service verification.** The center must have documentation to verify that all of the CACFP reimbursement is being used solely for the conduct of the food service operation; and to improve food service operations.

Non-profit food service verification includes:

- a) **Documentation of income to the program.** Income to the program includes all monies received from State, Federal, or local government sources, any center funds used to subsidize the food service program, any payments for adult meals, and any other income including loans and donations to the food program.
- b) **Documentation of food service expenditures.** Food service expenditures include food and milk purchase receipts or invoices, non-food food service expenses (ex. napkins, single service items and cleaning products), labor cost supported by payroll stubs and time studies, cost of expendable food service equipment, cost of maintaining non-expendable food service equipment, and indirect costs. **Expendable equipment** has a durability of less than two years and costs \$500 or less. **Non-expendable equipment** has a durability of two years or more and costs more than \$500. Examples of indirect costs are rent, utilities, office supplies, etc. A portion of indirect costs can be charged to the CACFP if there is documentation available to support the charge.

See Section 8.2 for more information on records to support program costs.


7. **Income Eligibility Forms (IEFs).** An Income Eligibility Form (IEF) must be on file for each participant claimed as free or reduced-priced meals. IEFs must be updated annually. The IEF is effective for one year from the date the center representative signs and dates the form. See Chapter 10 for more information on free and reduced-price meals.
8. **Title XX and Title XIX documentation.** Title XX and Title XIX documentation must be available for for-profit centers. Title XX and Title XIX documentation includes the Title XX and Title XIX billing invoices and a copy of the contract with the Title XX and Title XIX administering agency. For each month claimed, the center must have verification that at least 25% of the enrolled participants were Title XX and Title XIX beneficiaries. Eligibility may be based on Title XX enrollment, Title XIX enrollment, or combined Title XX and Title XIX enrollment.
9. **Civil Rights racial/ethnic information.** All centers must:
 - a) Display the “And Justice For All” poster in a location visible to the public;
 - b) Display the “Federal Relay Service” poster next to the “And Justice for All” poster;
 - c) Provide the nondiscrimination statement and procedure for filing a complaint in all center brochures;
 - d) Collect actual beneficiary data by racial/ethnic category; and
 - e) Provide CACFP informational materials in the appropriate translation.
 - f) Provide annual training to front line staff on civil rights.

See Sections 5.6, 5.7 and 5.11 for more information on Civil Rights.

10. **Documentation of training to staff.** Staff must be trained at least annually and documentation maintained on the CACFP and Civil Rights required training. Documentation must include:
 - a) Session dates;
 - b) Locations;
 - c) Topics*; and
 - d) Names of participants.*See Section 5.11 or Section 6.18 for specific training requirements.
11. **Food Production Records** required for centers using a caterer or contract food service management company. See Section 5.10 for additional information.
12. **Miscellaneous documentation.** The following miscellaneous documentation must be retained:
 - a) Adult day care center license issued by the Division of Senior Services and Regulation;
 - b) Documents submitted to the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA);
 - c) Copy of the Program contract; and
 - d) Copies of all correspondence from MDHSS-BCFNA to MDHSS-BCFNA.

See Chapter 8 for more information on recordkeeping and the booklet entitled Adult Day Care Centers – Recordkeeping Essentials of the CACFP for sample forms.


Reference: 7CFR 226.15(e)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	3/12	5	5.3
CHAPTER Chapter 5. Requirements of Management – IC’s				SUBJECT For-Profit Centers – Monthly Title XX, Title XIX or Free/Reduced Verification			

For-profit centers must verify on a monthly basis that at least 25% of the participants enrolled at the center are Title XX and/or Title XIX beneficiaries. The number of participants enrolled is the total number of participants who attended the center during the claim month. To be counted as a Title XX and Title XIX beneficiary, a participant must be claimed for at least one day as a Title XX and Title XIX recipient during the claim month. Enrolled participants in attendance for any day during the month must be included in the enrollment count. Participants who are not eligible for CACFP benefits should not be counted as an enrolled participant for the purposes of determining CACFP eligibility and receipt of program reimbursement. See Section 4.4 for more information on how to determine for-profit eligibility.

For-profit centers that are eligible for CACFP participation on the basis of free and reduced enrollment must verify on a monthly basis that at least 25% of adults enrolled for care at the center or 25% of the licensed capacity (whichever is less) are eligible for free or reduced-price meal reimbursement. To be counted in the free and reduced-price total, an enrolled adult must have been in attendance at least one day during the month and have a valid Income Eligibility Form (IEF) on file. The adult does not have to have been claimed for meal reimbursement to be counted in the total enrollment.

Reference: 226.19(b)(6)


	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL	6/91	3/12	5	5.4
CHAPTER Chapter 5 - Requirements of Management – IC’s		SUBJECT Criteria for Claiming Meals			

Meals can be claimed for reimbursement if the following criteria are met:

- Adult day care centers may use the “offer versus serve” meal service option where participants are given the opportunity to select foods at each meal (except snacks). All required meal components are **offered** to all participants for the meal to be claimed for reimbursement. However, the adult participant may decline one meal component at breakfast and up to two meal components at lunch and supper. Both snack components must be served. The price of a reimbursable meal shall not be affected if an adult participant declines a food item.
- Original, daily dated menus must indicate all food components served to the adults for each meal claimed. An adult must receive all meal components in at least the minimum serving size for a meal to be claimed. An exception can be made in cases where a physician’s statement is on file verifying that a adult cannot have a particular food for medical reasons. The medical statement must also list foods which can be substituted for the component or food item. See Chapter 7 for details on the meal pattern. The Medical Food Substitution Record (CACFP 227) form can be found at: <http://health.mo.gov/living/wellness/nutrition/foodprograms/cacfp/appsforms.php>
- Documentation to verify the meal component(s) contribution that processed (“convenience) meat products contain to be creditable in the CACFP.
- A maximum of two meals and one snack or one meal and two snacks can be claimed per participant per day.
- Creditable food must be served. Refer to the Creditable Foods Guide for details on those foods which can be used to meet the menu components for adult day care centers.
- Claims for reimbursement can only be made for participants who are enrolled at the center. Meals claimed at any one time cannot exceed the authorized capacity of the center.
- Meals are served at the times and for the duration indicated on the centers on-line application under the Center Information Sheet.

Centers are not eligible to receive CACFP funds if they provide residential care, employment, vocational training, or rehabilitation services. Meals claimed under part C of Title III of the Older Americans Act of 1965 cannot be claimed for CACFP reimbursement for the same meal served.

Reference: 7CFR 226.11(b)
 7 CFR 226.20 (q)(1) and (2)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	1/17	5	5.5
CHAPTER Chapter 5 - Requirements of Management – IC’s				SUBJECT Audits			

Non-federal entities (state/local governmental entities, non-profit organizations, and for-profit organizations) that expend \$750,000 or more in federal awards during their fiscal year must have an audit conducted for that year. These audits must comply with the requirements found in 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. Certain organizations are permitted to obtain biennial audits rather than annual audits. In these cases, audits conducted must include both years. Reference 2 CFR 200.504 for additional information regarding biennial audits.


If an organization expends federal awards under only one federal program (such as CACFP) it may obtain a Program-Specific audit. Auditors must conduct Program-Specific audits in accordance with generally accepted government auditing standards (GAGAS) and the program-specific audit guide. Reference 2 CFR 200 for additional information.

MDHSS may contract with auditors to conduct limited scope audits of for-profit or non-profit institutions at any time regardless of the amount of CACFP reimbursement received.

MDHSS may contract with auditors to conduct fiscal reviews of for-profit and non-profit institutions as part of the regularly scheduled monitoring review. These fiscal reviews will cover the financial aspects of the CACFP, and augment the monitoring reviews conducted by CFNA.

Specific questions regarding CACFP audits, limited scope audits, and fiscal reviews may be directed to the MDHSS’ Division of Administration - Senior Auditor at:

Missouri Department of Health and Senior Services
 Senior Auditor
 Division of Administration
 P.O. Box 570
 Jefferson City, MO 65102

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM		ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL		6/91	3/12	5	5.6
CHAPTER Chapter 5 - Requirements of Management – IC’s			SUBJECT Civil Rights Data Collection			

The CACFP must ensure that program benefits are made available to all eligible individuals without regard to race, color, age, sex, disability, or national origin, hereafter referred to as protected classes.


As part of the application process, the independent center must provide information on:

- Estimate of the racial/ethnic makeup of the population to be served.
- Actual beneficiary data by racial/ethnic category for the adult day care center. Visual identification may be used to determine a beneficiary’s racial/ethnic category or the family or guardian of a beneficiary may be asked to identify the racial/ethnic group of the participant. Family or guardians may be asked to identify the racial/ethnic group of the participant only after it has been explained, and they understand, that the collection of this information is strictly for statistical reporting and has no effect on the determination of their eligibility to receive benefits under the program.
- Efforts used to assure that minority populations have an equal opportunity to participate.
- Efforts used to contact minority and grassroots organizations about the opportunity to participate.
- Any other Federal agencies providing financial support to the applicant.

Throughout the Program year, the independent center must:

- Display the “And Justice for All” poster (USDA form AD-475C) in a prominent place. All posters can be downloaded at: <http://health.mo.gov/living/wellness/nutrition/foodprograms/cacfp/publications.php>
- Collect racial/ethnic data for enrolled adults on an annual basis, using the CACFP-226 Beneficiary Data report form found at: <http://health.mo.gov/living/wellness/nutrition/foodprograms/cacfp/appsforms.php>
The Documentation must be maintained on file.
- Have the capability of providing informational materials in the appropriate language translation concerning the availability and nutritional benefits of the CACFP.
- Make available CACFP information to the public upon request.
- Provide the nondiscrimination statement and procedure for filing a complaint in information concerning the program or program activities directed to parents or guardians of beneficiaries and potential beneficiaries.

Reference: Civil Right Instruction 113-1 (November 8, 2005)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL	6/91	3/12	5	5.7
CHAPTER Chapter 5 - Requirements of Management – IC’s		SUBJECT Civil Rights Complaint Procedure			

Any person alleging discrimination based on a protected class: race, color, national origin, sex, age, or disability has a right to file a complaint within 180 days of the alleged discriminatory action.


To file a complaint alleging discrimination, write U.S. Department of Agriculture Director, Office of Adjudication 1400 Independence Avenue, SW, Washington, DC 20250-9410 or contact the Office of Adjudication Customer Service Unit for further information at (866) 632-9992 (toll free), (202) 260-1026, or (202) 401-0216 (TDD).

The complaint should contain the following information:

- Name, address, and telephone number or other means of contacting the complainant;
- The name(s) and business addresses of the person(s) discriminated against if different than above;
- The agency and department or program that discriminated and any individual, if known;
- *Non employment complaint:* discrimination in the delivery of services or in other discriminatory actions in the department or agency in its treatment of you or others; or
Employment complaint: discrimination in employment by the department or agency
- The base(s) on which the complainant believes these discriminatory actions were taken (race/color, national origin, sex, religion, age and/or disability);
- The date on which the alleged discrimination occurred. Indicate the earliest date of discrimination to the most recent date of discrimination; and
- Explain as clearly as possible what happened, why you believe it happened, and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently from you.

The complaint can only be accepted when it is signed and dated.


References: FNS Instruction 113-1
<http://www.fns.usda.gov/cr/justice.htm>
http://www.ascr.usda.gov/complaint_filing_program.html

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	3/12	5	5.8
CHAPTER Chapter 5 - Requirements of Management – IC’s				SUBJECT Title III Funding			

CACFP reimbursement cannot duplicate benefits or reimbursement provided under Title III (Part C) of the Older American’s Act of 1965 for the same meal served. A single meal cannot be supported by funds from both the CACFP and Title III program. This prohibition includes the commodity benefit currently available under Title III as well as any other benefits provided under Title III. An adult day care center may use CACFP and Title III monies to fund different meal services (breakfast, lunch, supper, or snacks).

An adult day care center receiving funds from both Title III and CACFP must implement a financial management system which can show that Title III funds are not being used to support CACFP meals. Centers must maintain documentation adequate to demonstrate compliance with these requirements.

Reference: 7 CFR 226.19(b)(6)
 CACFP-122, March 21, 1989
 CACFP-146, May 18, 1989

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	3/12	5	5.9
CHAPTER Chapter 5 - Requirements of Management – IC’s				SUBJECT Food Service Contractor Requirements			

An adult day care center that contracts with a food service management company or caterer is not relieved of its responsibility to verify that participants are receiving minimum serving sizes and creditable meals that comply with CACFP meal component requirements. The institution must monitor the conditions set forth in the food service contract and compliance with the CACFP requirements. MDHSS-BCFNA will not intervene in contract disputes.


Additional recordkeeping is required when a CACFP institution obtains meals from a commercial vendor. The **commercial vendor/caterer** that provides meals to institutions must provide the following documentation to the CACFP contractor on a weekly, or no less than a monthly basis:

- Food costs to substantiate the reimbursement
- Daily dated menus
- Daily meal delivery tickets to verify the amount of food and/or number of meals provided to the center
- Staff allocation, such as meals per labor hour statistics may be required
- Production records - See Section 5.10 for minimum information that must be included on the production records submitted by the food service contractor
- Documentation of paid invoices to verify contractual accountability
- Meals per labor hour recordkeeping to document staff allocation

Records from the food service contractor must be available for review by MDHSS-BCFNA to verify that participants are receiving adequate quantities of food on a per meal basis.

Federal regulations prohibit institutions from contracting out the management responsibilities of the CACFP, including but not limited to:

- Ordering meals
- Maintaining program records
- Submitting claims for meal reimbursement
- Training and monitoring
- Determining eligibility for free or reduced-price meals

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL	6/91	3/12	5	5.10
CHAPTER Chapter 5 - Requirements of Management – IC’s		SUBJECT Production Records – Minimum Requirements for Food Service Contractors			

Production records are required for all centers receiving catered meals. Adult day care centers receiving payment from CACFP must keep full and accurate records pertaining to the food service operation. Production records supplied by food service management companies, caterers, and other food service contractors must include the following information, at a minimum:

1. The **menu name and food item used** and its form such as: “Hamburger on bun” is the menu name and 3.2 oz. ground beef patty and hamburger bun are the food items used.
2. The actual **amount of each food item prepared** (and delivered) such as: ¾ gallon of milk, one, #10 can green beans, or three pound of ground beef if the food is delivered in bulk with serving instructions for portioning, or 48, ¼ cup servings of green beans if food is portioned by the caterer.
3. The **total number of servings prepared** and served for all the meals/snacks claimed for CACFP reimbursement.

The center personnel will be responsible for documenting the number of participants and non-participant adults served on the meal count records. Modifications can be made if the food service contractor can provide adequate documentation to verify that minimum serving size requirements are met. Modifications which will be acceptable for each component group are:

Meat/Meat Alternate Items

For meat items which are preformed into identical weight serving sizes such as hamburger patties, fish fillets, chicken patties, etc., the food service company can state on the production record the number of preformed portions which were provided. In addition to the number provided, the food service contractor must supply documentation indicating the cooked weight of the meat portion of the product. This information must be in the form of a Child Nutrition (CN) label or product analysis sheet which has been signed by the manufacturer.

For casserole type items such as spaghetti, chili, etc., the company can supply the standardized recipe used to the center. The recipe must indicate the pounds of meat used and the number of servings obtained from the recipe with the meat/meat alternate contribution per serving.

Fruit/Vegetable Items

If the food is delivered in bulk containers, i.e., steam table pans, the food service contractor must supply the serving instructions and portioned serving utensils.

For Example:

<u>Product</u>	<u>Serving Utensil</u>
Green Beans	1/2 cup spoodle
Diced Pears	#8 scoop (1/2 cup serving)

Cook's spoons, such as solid, slotted or perforated spoons are not acceptable portion tools since this utensil provides no measure of consistent serving size.

If food is individually portioned for delivery, the food service contractor should designate the number of servings per unit. For example, one, #10 can diced pears yields 24, half-cup servings diced pear servings (#8 scoop).

For vegetable casseroles or fruit dessert recipes, it will be necessary for the company or center to identify the total amount of fruit/vegetable used in the product or the amount of fruit/vegetable provided on a per serving basis. This can be done by supplying a standardized recipe, product analysis, CN label, or other method which has been approved by the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance.

Grains/Bread Component

When slices of bread are provided, the food service contractor shall document the number of slices provided and the weight of each slice. For example, one loaf white sandwich bread yields 22, 1 oz. slices of bread. Note: Do not include the bread heels in the yield, only usable bread slices.

When bread alternates are provided such as muffins, rolls, biscuits, etc., the company shall document the number of muffins and the weight of each muffin. A recipe, ingredient label, CN label, or product analysis sheet must be supplied to assure that the product is a creditable bread alternate.


If rice, spaghetti, or other pasta is used to meet the grains/bread component, total amount used could be provided or information on the bread alternate included in the portion control procedure.

Milk**

Food service contractor shall document the type of milk - fat-free (skim) or low-fat (1%) and the amount* and size of serving units provided such as: 5 gallons skim, 10 half-gallons low-fat chocolate.

*Each adult day care center must notify MDHSS-BCFNA that they are using the “offer versus serve” meal service option by entering the information in the Center Info Sheet “General Comments” box (line 66) in the on-line applications/claims database. Provided the center is in compliance with the offer vs. serve meal option described in Section 7.2, verification of adequate milk purchases will be determined accordingly during monitoring reviews.

**The Health, Hunger-Free Kids Act of 2010 made changes to the meal requirements for facilities participating in the CACFP. Effective October 1, 2011, adult day care centers must serve *only* fat free (skim) or low-fat (1%) fluid milk. Refer to Section 7.5 for additional information.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL	3/12		5	5.11
CHAPTER Chapter 5 – Requirements of Management – Independent Centers		SUBJECT Annual Training			

Independent adult day care centers are required by Federal Regulation to conduct Child and Adult Care Food Program (CACFP) training on an annual basis. Training must be documented on CACFP-222 form (or center created form with same training requirements) available at:

<http://health.mo.gov/living/wellness/nutrition/foodprograms/cacfp/appsforms.php> Training must include instruction, appropriate to the level of staff experience and duties, on Program requirements. The center must retain training documentation including a training outline or lesson plan.

Adult day care center staff must be trained annually on the following CACFP subject areas:

- Meal Pattern Requirements;
- Recordkeeping Requirements;
- Meal Count Procedures;
- Reimbursement System;
- Claim Submission & Review Procedures; and
- Civil Rights Training.*


*Adult day care centers are responsible to train individuals identified as front line staff on specific Civil Rights subject areas which include, but are not limited to:

- Collecting and using data;
- Effective public notification systems;
- Complaint procedures;
- Compliance review techniques;
- Resolution of noncompliance;
- Requirements for reasonable accommodation of persons with disabilities;
- Conflict resolution; and
- Customer service.

A civil rights training power point presentation is available at:

<http://health.mo.gov/living/wellness/nutrition/foodprograms/cacfp/training.php>

References: Federal Regulation 7 CFR 226.15(e)(14)
FNS Instruction 113-1

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM		ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL		6/91	3/12	6	6.1
CHAPTER Chapter 6 - Requirements of Management – SO’s			SUBJECT Sponsoring Organizations - Application			

The sponsoring organization in this chapter is a contractor which is entirely responsible for the administration of the food program in two or more centers. Refer to the definition in Section 1.5 for additional information. The sponsoring organization (SO) shall inform the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) if any of the application information changes throughout the Program year. Failure to promptly notify MDHSS-BCFNA of changes could result in delayed or denied claim for reimbursement.

It is vital that the sponsoring organization keep MDHSS-BCFNA updated on any changes regarding the sponsoring organization or centers under the sponsoring organization’s jurisdiction.

MDHSS-BCFNA shall be notified if any of the following changes occur:


- **Change in ownership** – The sponsor must inform MDHSS-BCFNA in writing of a change in ownership status of the institution. The contracted business which is sold would be considered terminated from CACFP on the date the license expired or the date the sale is finalized. In order to prevent an assessment of an over claim or denial of reimbursement, it is critical that MDHSS-BCFNA be advised **before** the transfer occurs. A new application is **required** when a change in ownership occurs.
- **Incorporation (LLC, Inc.)** – This is a name change of ownership. If none of the principals change, the owner is required to notify the CACFP in writing of the name change and submit a new Vendor Input/ACH-EFT Application form – SAM II, required to change direct deposits.
- **Center or business name change** – If none of the principals change, the owner must notify the CACFP in writing of the name change (i.e. Little Apples to Big Apples) and submit a new Vendor Input/ACH-EFT Application form – SAM II, required to change direct deposits.
- **Changes in meals claimed or meal service times*** – the sponsor must notify MDHSS-BCFNA of any changes in meals claimed or meal service times. If a sponsor decides to provide (and claim) another meal, a written request and two weeks of menus for that meal shall be submitted to MDHSS-BCFNA. Menus must be reviewed and approved by MDHSS-BCFNA before the additional meal may be claimed for reimbursement.

For all of the above situations, the contract is amended to the correct name. The SAM II payment system must match the contract in the CACFP with tax ID numbers and State business registration information on the Secretary of State website.

- **Tax-exempt status** – The sponsor must notify MDHSS-BCFNA immediately if tax-exempt status is revoked. A new application is required.
- **Change in capacity*** – The sponsor must notify MDHSS-BCFNA when the capacity of the center is increased or decreased during the program year.

- **Change in authorized representative or authorized “user”** – The sponsor must inform MDHSS-BCFNA in writing of any changes in authorized representative(s) or authorized “user” the person approved to submit claims and/or make updates on the Sponsor Info Sheet and Center Info Sheet(s). This will prevent delayed or denied claims and assist MDHSS-BCFNA to track and provide the required training for new staff.
- **Change in address*** – The sponsor must inform MDHSS-BCFNA of all changes in the address. The location of the center’s current place of business and hours of operation must be on file. An incorrect address in the file could result in a serious deficiency if found during a monitoring visit.
- **Institution closure** – The sponsor must notify MDHSS-BCFNA when a closure is planned. The date of the last operational day shall be submitted in advance, all claims processed, and a method established to make any over claim/debt repayment.

*Changes can be updated electronically on the CACFP website at:
<https://dhssweb04.dhss.mo.gov/cnp/Login.asp>


	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	3/12	6	6.2
CHAPTER Chapter 6 - Requirements of Management – SO's				SUBJECT Sponsoring Organizations – Adds or Deletes			

If the sponsoring organization adds additional centers during the fiscal year, the following information must be submitted for each **new center**:

- Application for participation in the CACFP (form CACFP-2);
- Two weeks of menus for all meals and snacks claimed for reimbursement (form CACFP-218 or 218AA);
- Adult Day Care license, Section for Long Term Care Regulation (SLCR)
- Tax exempt letter if center is non-profit; and
- Title XX and/or Title XIX verification, Title XX and/or Title XIX contract with the administering agency, and enrollment roster with an indication of those participants who are receiving Title XX and/or Title XIX benefits if the center is for-profit.

If the sponsoring organization closes a facility during the fiscal year, the following information must be submitted to the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA):

- Written notice of effective closing date of the facility;
- Reason for removal from sponsoring organization; i.e. facility closing, going independent or transferring; and
- Submission of last claim for reimbursement.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	3/12	6	6.3
CHAPTER Chapter 6 - Requirements of Management – SO's				SUBJECT Sponsoring Organizations – Required Recordkeeping			

Sponsoring organizations are required to maintain records to support the monthly claim for reimbursement and compliance to Program regulations. All CACFP records must be stored at a central location identified in the sponsoring organization management plan and be available for audit within one hour of the BCFNA reviewer's arrival. All records (original documents) shall be retained for a period of three years after the date of submission of the final claim for the fiscal year to which they pertain. If audit findings have not been resolved, the records shall be retained beyond the end of the three year period as long as may be required for the resolution of the issues raised by the audit.

The sponsoring organization shall retain the following original record documents in a **central location** identified in the management plan:

1. **Menus.** Daily dated menus must and indicate all components that were served. Menus must be maintained for each meal claimed for reimbursement.
2. **Plan of care.** All functionally impaired participants claimed for reimbursement must have an individual plan of care.
3. **Enrollment documents for each participant claimed. All participants claimed for reimbursement must be enrolled at the center for care.** Centers must maintain a master listing to include: a) all enrolled eligible participants, b) date of birth, c) the claiming category for each participant, and c) the date the Income Eligibility Form (IEF) was signed by center personnel. Use of the master listing will assist in keeping the IEFs updated as required on an annual basis.
4. **Daily attendance records.** Daily attendance records must be maintained for each participant. The attendance records **cannot** be used as a basis for completing the meal count record. However, the attendance records should support the meal count records. For example, if John Doe was claimed for a meal on October 17, the attendance records should indicate that John Doe was present at the center on October 17.
5. **Meal count records.** Each monthly claim for reimbursement must be supported by meal count records for each meal served during the month. The meal count records must indicate the daily number of meals served to participants by meal type (breakfast, lunch, supper, or snack). Center personnel must physically record (manually with pen and paper) each meal at the time the meal is served (“point of service meal count”)*. A total head count or head count of participants by eligibility category (free, reduced, and paid) is not sufficient. A maximum of two meals and one snack or two snacks and one meal may be claimed per participant per meal on a daily basis.
***USDA has stated that the point of service (POS) meal count must be done manually using paper and pen/pencil.** This is to ensure that the participant receives a reimbursable meal and to identify which participant received the meal. For these reasons, use of biometric (finger imaging) or

other computerized meal accounting systems are not approved as a substitute for manual POS meal count recording.

6. **Non-profit food service verification.** The center must have documentation to verify that all of the CACFP reimbursement is being used solely for the conduct of the food service operation; and to improve food service operations.

Non-profit food service verification includes:

- a) **Documentation of income to the program.** Income to the program includes all monies received from State, Federal, or local government sources, any center funds used to subsidize the food service program, any payments for adult meals, and any other income including loans and donations to the food program.
- b) **Documentation of food service expenditures.** Food service expenditures include food and milk purchase receipts or invoices, non-food food service expenses (ex. napkins, single service items and cleaning products), labor cost supported by payroll stubs and time studies, cost of expendable food service equipment, cost of maintaining non-expendable food service equipment, and indirect costs. **Expendable equipment** has a durability of less than two years and costs \$500 or less. **Non-expendable equipment** has a durability of two years or more and costs more than \$500. Examples of indirect costs are rent, utilities, office supplies, etc. A portion of indirect costs can be charged to the CACFP if there is documentation available to support the charge.

See Section 8.2 for more information on records to support program costs.

7. **Income Eligibility Forms (IEFs).** An Income Eligibility Form (IEF) must be on file for each participant claimed for free or reduced-priced meals. IEFs must be updated annually. The IEF is effective for one year from the date the center representative signs and dates the form. See Chapter 10 for more information on free and reduced-price meals.
8. **Documentation of Monitoring.** Each center under the sponsoring organization's jurisdiction must be monitored by the Sponsoring Organization for Program compliance at least three times annually and each monitoring review must be documented. At least two of the monitoring visits must be unannounced and at least two must include observation of a complete meal service. Each new facility is reviewed within the first four (4) weeks of program operations. The monitoring date, problems noted and corrective action prescribed must be documented. The sponsor shall review the meal pattern, meal counts, menu, sanitation inspection report and training records. The CACFP-404 form or a sponsor developed site review form with all of the same information must be used to document monitoring.
9. **Title XX and Title XIX documentation.** Title XX and Title XIX documentation must be available for for-profit centers. Title XX and Title XIX documentation includes the Title XX and Title XIX billing invoices and a copy of the contract with the Title XX and Title XIX administering agency. For each month claimed, the center must have verification that at least 25% of the enrolled participants were Title XX and Title XIX beneficiaries. Eligibility may be based on Title XX enrollment, Title XIX enrollment, or combined Title XX and Title XIX enrollment.
10. **Civil Rights racial/ethnic information.** All centers must:

- a. Display the “And Justice For All” poster in a location visible to the public;
- b. Display the “Federal Relay Service” poster next to the “And Justice for All” poster;
- c. Provide the nondiscrimination statement and procedure for filing a complaint in all center brochures;
- d. Collect actual beneficiary data by racial/ethnic category;
- e. Provide CACFP informational materials in the appropriate translation; and
- f. Provide annual training to front line staff on civil rights.

See Sections 5.6, 5.7 and 5.11 for more information on Civil Rights.

11. **Documentation of training to staff.** Staff must be trained at least annually and documentation maintained on the CACFP and Civil Rights training. Documentation must include:
 - a. Session dates;
 - b. Locations;
 - c. Topics*; and
 - d. Names of participants.


*See Section 5.11 or Section 6.18 for specific training requirements.

12. **Food Production Records.** Food Production Records are required for centers using a caterer or contract food service management company. See Section 5.10 for additional information.

13. **Miscellaneous documentation.** The following miscellaneous documentation must be retained:
 - a. Adult Day Care Center license issued by the Division of Senior Services and Regulation;
 - b. Documents submitted to the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA);
 - c. Copy of the Program contract; and
 - d. Copies of all correspondence from MDHSS-BCFNA and to MDHSS-BCFNA.

See Chapter 8 for more information on recordkeeping and the booklet entitled Adult Day Care Centers – Recordkeeping Essentials of the CACFP for sample forms.


Reference: 7CFR 226.15(e)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	3/12	6	6.4
CHAPTER Chapter 6 Requirements of Management – SO’s				SUBJECT Sponsoring Organizations - Disbursements			

Sponsoring organizations shall make payments to centers that are not part of the same legal entity as the sponsoring organization (unaffiliated centers) within five operating days of receipt from the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA). Reimbursement to centers may not exceed the applicable meal rate times the number of meals documented at each facility.

Sponsoring organizations of centers may charge the center a fee for administrative services. The fee charged shall be based on the **actual expenses** of the sponsor for services provided to the center. The fee should be a straight charge to the center for one CACFP service or multiple CACFP services for a given period of time. The fee shall not be calculated as a percentage or portion of the monthly claim. The sponsoring organization must maintain detailed cost documentation relative to the actual cost of administering the CACFP in the facility to support the administrative fee charged and the costs for each facility under the organization’s sponsorship.


MDHSS-BCFNA shall be informed of the fee charged. The sponsoring organization shall include in its application, a complete breakdown of the costs incurred in order to justify the fee charged. MDHSS-BCFNA will monitor the fee charged and the costs for each center under sponsorship. Under no circumstances may the fee charged to the center exceed 15% of the total meal reimbursement, unless the sponsoring organization has requested written approval and provided adequate justification to MDHSS-BCFNA.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	3/12	6	6.5
CHAPTER Chapter 6 Requirements of Management – SO’s				SUBJECT Unaffiliated Sponsored Centers – Application Information			

Adult Day Care Centers not under the same corporate umbrella or part of the same legal entity as the sponsoring organization (unaffiliated centers) shall abide by the terms and conditions set forth in the contract between the sponsoring organization and the center. It will be necessary for the sponsored adult day care center to abide by the minimum requirements established for the CACFP outlined in this Section.

At the time of application renewal, each sponsored institution/facility shall submit the following information to the sponsoring organization to determine eligibility to participate in the CACFP:


- a. Evidence of non-profit status for the center (see Chapter 2, Section 2.1) or eligibility requirements for for-profit centers (see Chapter 2, Section 2.2).
- b. Licensing certification from the Section for Long Term Care Regulation (SLCR).
- c. Application for participation in the Child and Adult Care Food Program.
- d. Two weeks of menus for each meal claimed (if applying for the first time).
- e. Contract with the Title XX and/or Title XIX administering agency if the center is for-profit.
- f. Enrollment roster with an indication of Title XX and/or Title XIX beneficiaries if the center is for-profit.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	3/12	6	6.6
CHAPTER Chapter 6 Requirements of Management – SO’s				SUBJECT For-Profit Centers – Monthly Title XX and Title XIX or Free/Reduced Verification			

The sponsoring organization of for-profit centers must verify on a monthly basis that a minimum of 25% of the enrolled participants are Title XX and/or Title XIX beneficiaries, or are eligible for free or reduced-price meals based on income eligibility guidelines.

The number of participants enrolled is the total number of participants who attended the center during the claim month. To be claimed as a Title XX and Title XIX beneficiary, an enrolled participant must be in attendance at least one day during the claim month. See Section 4.4 for more information on how to determine for-profit eligibility. Participants who are not eligible for CACFP benefits should not be counted as an enrolled participant for the purposes of determining CACFP eligibility and receipt of Program reimbursement.

Eligibility of for-profit centers under a sponsor’s jurisdiction must be evaluated on an individual center by center basis.


	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	3/12	6	6.7
CHAPTER Chapter 6 Requirements of Management – SO’s				SUBJECT Criteria for Claiming Meals			

Meals can be claimed for reimbursement if the following criteria are met:

- Creditable foods must be served. Refer to the Creditable Foods Guide for details on those foods that can be used to meet the menu components.
- Claims for reimbursement can only be made for participants who are enrolled at the center. Meals claimed at any one time cannot exceed the authorized center capacity.
- A maximum of two meals and one snack or two snacks and one meal may be claimed per participant per day.
- Daily dated menus indicate all food components served to enrolled participants for the meals claimed.
- Adult day care centers may use the “offer versus serve” meal service option where participants are given the opportunity to select foods at each meal. All required meal components must be offered to all participants for a meal to be claimed. However, the participant may decline one meal component at breakfast and up to two meal components at lunch and supper. Both snack components must be served. The price of a reimbursable meal shall not be affected if an adult participant declines a food item. See Section 7.2 for additional information on offer vs. serve.
- If a participant cannot have a particular food for medical reasons, a physician’s statement must be on file verifying that the participant cannot have a particular food for medical reasons in order claim the meal for reimbursement. The medical statement must also list foods that must be substituted for the component or food item. Physician recommended food substitutions must be purchased by the adult day care center in order to claim the meal. See Chapter 7 for details on the meal pattern.
- Documentation to verify the meal component(s) contribution that processed (“convenience”) meat/meat alternate products contain to be creditable in the CACFP.
- Meals are served at the times and for the duration approved on the center application in the CACFP web-based system on the Center Information Sheet.
- Claims for reimbursement can only be made when the daily attendance documentation and the meal count records support each other for every participant at every meal.

Centers are not eligible to receive the CACFP funds if they provide residential care, employment, vocational training, or rehabilitation services. Meals claimed under part C of Title III of the Older Americans Act of 1965 cannot be claimed for CACFP reimbursement for the same meal served.

Reference: 7CFR 226.11(b)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	1/17	6	6.8
CHAPTER Chapter 6 Requirements of Management – SO’s				SUBJECT Audits			

Non-federal entities (state/local governmental entities, non-profit organizations, and for-profit organizations) that expend \$750,000 or more in federal awards during their fiscal year must have an audit conducted for that year. These audits must comply with the requirements found in 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. Certain organizations are permitted to obtain biennial audits rather than annual audits. In these cases, audits conducted must include both years. Reference 2 CFR 200.504 for additional information regarding biennial audits.


If an organization expends federal awards under only one federal program (such as CACFP) it may obtain a Program-Specific audit. Auditors must conduct Program-Specific audits in accordance with generally accepted government auditing standards (GAGAS) and the program-specific audit guide. Reference 2 CFR 200 for additional information.

MDHSS may contract with auditors to conduct limited scope audits of for-profit or non-profit institutions at any time regardless of the amount of CACFP reimbursement received.

MDHSS may contract with auditors to conduct fiscal reviews of for-profit and non-profit institutions as part of the regularly scheduled monitoring review. These fiscal reviews will cover the financial aspects of the CACFP, and augment the monitoring reviews conducted by CFNA.

Specific questions regarding CACFP audits, limited scope audits, and fiscal reviews may be directed to the MDHSS’ Division of Administration - Senior Auditor at:

Missouri Department of Health and Senior Services
 Senior Auditor
 Division of Administration
 P.O. Box 570
 Jefferson City, MO 65102

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	3/12	6	6.9
CHAPTER Chapter 6 Requirements of Management – SO’s				SUBJECT Sponsoring Organizations – Program Assistance			

Sponsoring organizations accept responsibility for the CACFP management of each center under their jurisdiction. It is, therefore, required that sponsoring organizations train the centers on CACFP requirements and monitors each center to assure that all requirements are met. All training and monitoring must be documented to show date, topics, personnel involved, and comments. Documentation of training and monitoring must be on file for at least 3 years.


The sponsoring organization shall conduct a pre-agreement visit for each new center for which application is made. The documented review is to inform the new center about Program requirements and benefits of the CACFP. The sponsoring organization shall review the sponsoring organization agreement to include the rights and responsibilities of the center and the rights and responsibilities of the sponsoring organization. A sample agreement form is available upon request from the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA). See Section 6.15 for more information on the agreement between sponsoring organizations and centers. The sponsoring organization shall also review the potential applicant’s food operation to determine if the requirements of the CACFP do not exceed the capability of the center.

All new centers will be trained in CACFP recordkeeping requirements, creditable foods, menu planning, CACFP regulations, and the benefits of the CACFP prior to the beginning of Program operations. Additional training sessions with a minimum of one shall be provided to all centers under the sponsoring organization’s jurisdiction throughout the fiscal year. The annual training sessions must include the following topics: meal pattern requirements; recordkeeping requirements; reimbursement system; claim submission & review procedure; meal count procedures, and; civil rights training.

Monitoring visits for adult day care centers under the sponsoring organization’s jurisdiction shall be completed at least three times per year. At least one review shall be made during each new center’s first four weeks of CACFP operations. Monitoring reviews shall not be completed more than six months apart. The preapproval visit does not count as being one of the three required monitoring visits. At least two of the three required monitoring visits must be made unannounced by the sponsoring organization, and at least two of the required visits must include the observation of a complete meal service.

The sponsoring organization shall review, at a minimum, for adult day care centers:

- Daily dated menus
- Enrollment documentation and participant eligibility
- Sanitation and food storage in the kitchen and dining areas
- Attendance records
- Meal counting procedures
- Cross check meal count records with attendance records
- Use of creditable food
- Proof of non-profit food service

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL	6/91	3/12	6	6.10
CHAPTER Chapter 6 Requirements of Management – SO’s		SUBJECT Civil Rights Data Collection			

The sponsor must ensure that Program benefits are made available to all eligible individuals without regard to the protected classes: race, color, age, sex, disability, or national origin.


As part of the application process, the sponsoring organization must provide information on:

- Estimate of the racial/ethnic makeup of the population to be served. Sources for this information might include census data or public school enrollment.
- Actual beneficiary data by racial/ethnic category for each adult day care center under the sponsoring organization’s jurisdiction shall be collected each year. Visual identification may be used to determine a beneficiary’s racial/ethnic category or the family or guardian of a beneficiary may be asked to identify the racial/ethnic group of the participant. Family or guardians may be asked to identify the racial/ethnic group of the participant only after it has been explained, and they understand, that the collection of this information is strictly for statistical reporting and has no effect on the determination of their eligibility to receive benefits under the Program.
- Efforts to be used to assure that minority populations have an equal opportunity to participate.
- Efforts to be used to contact minority and grassroots organizations about the opportunity to participate.
- Any other Federal agencies providing financial support to the applicant.

Throughout the program year, the independent center must:

- Display the “And Justice For All” poster in a location visible to the public.
- Display the “Federal Relay Service” poster next to the “And Justice for All” poster.
- Display the “Building for the Future” poster in a location visible to the public
- Have the capability of providing informational materials in the appropriate translation concerning the availability and nutritional benefits of the CACFP.
- Make available program information to the public upon request.
- Provide the nondiscrimination statement and procedure for filing a complaint in information concerning the Program or program activities directed to parents or guardians of beneficiaries and potential beneficiaries.

Reference: Civil Right Instruction 113-1 (November 8, 2005)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	3/12	6	6.11
CHAPTER Chapter 6 Requirements of Management – SO’s				SUBJECT Civil Rights Complaint Procedure			

Any person alleging discrimination based on a protected class: race, color, national origin, sex, age, or disability has a right to file a complaint within 180 days of the alleged discriminatory action.


To file a complaint alleging discrimination, write U.S. Department of Agriculture Director, Office of Adjudication 1400 Independence Avenue, SW, Washington, DC 20250-9410 or contact the Office of Adjudication Customer Service Unit for further information at (866) 632-9992 (toll free), (202) 260-1026, or (202) 401-0216 (TDD).

The complaint should contain the following information:

- Name, address, and telephone number or other means of contacting the complainant;
- The name(s) and business addresses of the person(s) discriminated against if different than above;
- The agency and department or program that discriminated and any individual, if known;
- *Non employment complaint:* discrimination in the delivery of services or in other discriminatory actions in the department or agency in its treatment of you or others; or
Employment complaint: discrimination in employment by the department or agency
- The base(s) on which the complainant believes these discriminatory actions were taken (race/color, national origin, sex, religion, age and/or disability);
- The date on which the alleged discrimination occurred. Indicate the earliest date of discrimination to the most recent date of discrimination; and
- Explain as clearly as possible what happened, why you believe it happened, and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently from you.

The complaint can only be accepted when it is signed and dated.

References: FNS Instruction 113-1
<http://www.fns.usda.gov/cr/justice.htm>
http://www.ascr.usda.gov/complaint_filing_program.html


	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	3/12	6	6.12
CHAPTER Chapter 6 Requirements of Management – SO’s				SUBJECT Title III Funding			

CACFP reimbursement under Part C of Title III of the Older American’s Act of 1965 cannot be supported by funds from both the CACFP and Title III for the same meal served. Adult day care centers can receive funds under both the CACFP and Title III Programs; however; centers cannot receive benefits or reimbursement from both programs for the same meal served. This prohibition includes the commodity benefit currently available under Title III as well as any other funds or benefits provided under Title III.

An adult day care center receiving funds from both Title III and CACFP must maintain documentation adequate to demonstrate compliance with these requirements.

An adult day care center may use CACFP and Title III monies to fund different meals. In the state of Missouri, some of the adult day care centers receive a lunch meal which is provided through Title III. These centers cannot claim reimbursement from CACFP for the lunch meal. However, they could claim other meals which are not supported by Title III such as breakfast, snack, or supper.

Reference: 7CFR 226.19(b)(6)
 CCFP-122, March 21, 1989

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	3/12	6	6.13
CHAPTER Chapter 6 Requirements of Management – SO’s				SUBJECT Food Service Contractor Requirements			

A sponsoring organization or adult day care center that contracts with a food service management company or caterer is not relieved of its responsibility to verify that participants are receiving minimum serving sizes and creditable meals that comply with CACFP meal component requirements. The institution must monitor the conditions set forth in the food service contract and compliance with the CACFP requirements. The MDHSS-BCFNA will not intervene in contract disputes.


Additional recordkeeping is required when a CACFP institution obtains meals from a commercial vendor. The **commercial vendor/caterer** that provides meals to institutions must provide the following documentation to the CACFP contractor on a weekly, or no less than a monthly basis:

- Food costs to substantiate the reimbursement
- Daily dated menus
- Daily meal delivery tickets to verify the amount of food and/or number of meals provided to the center
- Staff allocation, such as meals per labor hour statistics may be required
- Production records - See Section 5.10 for minimum information that must be included on the production records submitted by the food service contractor
- Documentation of paid invoices to verify contractual accountability
- Meals per labor hour with records to document staff allocation

Records from the food service contractor must be available for review by MDHSS-BCFNA to verify that participants are receiving adequate quantities of food on a per meal basis.

Federal regulations prohibit institutions from contracting out the management responsibilities of the CACFP, including but not limited to:

- Ordering meals
- Maintaining program records
- Submitting claims for meal reimbursement
- Training and monitoring
- Determining eligibility for free or reduced-price meals

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM		ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL		6/91	12/11	6	6.14
CHAPTER Chapter 6 Requirements of Management – SO’s			SUBJECT Production Records – Minimum Requirements for Food Service Contractors			

Production records are required for all centers receiving catered meals. Adult day care centers receiving payment from CACFP must keep full and accurate records pertaining to the food service operation. Production records supplied by food service management companies, caterers, and other food service contractors must include the following information, at a minimum:

1. The **menu name and food item used** and its form such as: “Hamburger on bun” is the menu name and 3.2 oz. ground beef patty and hamburger bun are the food items used.
2. The actual **amount of each food item prepared** (and delivered) such as: ¾ gallon of milk, one #10 can green beans, or three pounds of ground beef if the food is delivered in bulk with serving instructions for portioning, or 48 ¼ cup servings of green beans if food is portioned by the caterer.
3. The **total number of servings prepared** for all the meals/snacks claimed for CACFP reimbursement.

The center personnel will be responsible for documenting the number of participants and adults served on the meal count records. Modifications can be made if the food service contractor can provide adequate documentation to verify that minimum serving size requirements are met. Modifications which will be acceptable for each component group are:

Meat/Meat Alternate Items

For meat items which are preformed into identical weight serving sizes such as hamburger patties, fish fillets, chicken patties, etc., the food service company can state on the production record the number of preformed portions which were provided. In addition to the number provided, the food service contractor must supply documentation indicating the cooked weight of the meat portion of the product. This information must be in the form of a Child Nutrition (CN) label or product analysis sheet which has been signed by the manufacturer.

For casserole type items such as spaghetti, chili, etc., the company can supply the standardized recipe used by the center. The recipe must indicate the pounds of meat used and the number of servings obtained from the recipe with the meat/meat alternate contribution per serving.

Fruit/Vegetable Items

If the food is delivered in bulk containers, i.e., steam table pans, the food service contractor must supply the serving instructions and portioned serving utensils.

For Example:

<u>Product</u>	<u>Serving Utensil</u>
Green Beans	1/4 cup spoodle
Diced Pears	#8 scoop (1/2 cup serving)

Cook's spoons, such as solid, slotted or perforated spoons are not acceptable portion tools since this utensil provides no measure of consistent serving size.

If food is individually portioned for delivery, the food service contractor should designate the number of servings per unit. For example, one, #10 can diced pears yields 24 1/2 cup servings diced pear servings (#8 scoop).

For vegetable casseroles or fruit dessert recipes, it will be necessary for the company or center to identify the total amount of fruit/vegetable used in the product or the amount of fruit/vegetable provided on a per serving basis. This can be done by supplying a standardized recipe, product analysis, CN label, or other method which has been approved by the Missouri Department of Health and Senior Services – Community Food and Nutrition Assistance.

Grains/Bread

When slices of bread are provided, the food service contractor shall document the number of slices provided and the weight of each slice. For example, one loaf white sandwich bread yields 22 1 oz. slices of bread. Note: Do not include the bread heels in the yield, only usable bread slices.

When bread alternates are provided such as muffins, rolls, biscuits, etc., the company shall document the number of muffins and the weight of each muffin. A recipe, ingredient label, CN label, or product analysis sheet must be supplied to assure that the product is a creditable bread alternate.


If rice, spaghetti, or other pasta is used to meet the grains/bread component, total amount used could be provided or information on the bread alternate included in the portion control procedure.

Milk**

Food service contractor shall document the type of milk - fat-free (skim) or low-fat (1%) and the amount* and size of serving units provided such as: 5 gallons skim, 10 half-gallons low-fat chocolate..


*Each adult day care center must notify MDHSS-BCFNA that they are using the “offer versus serve” meal service option by entering the information in the Center Info Sheet “General Comments” box (line 66) in the on-line applications/claims database. Provided the center is in compliance with the offer vs. serve meal option described in Section 7.2, verification of adequate milk purchases will be determined accordingly during monitoring reviews.

**The Health, Hunger-Free Kids Act of 2010 made changes to the meal requirements for facilities participating in the CACFP. Effective October 1, 2011, adult day care centers must serve *only* fat free (skim) or low-fat (1%) fluid milk. Refer to Section 7.5 for additional information.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			3/91	12/11	6	6.15
CHAPTER Chapter 6 Requirements of Management – SO’s				SUBJECT Agreement with Sponsored Facilities			

The Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS–BCFNA) requires sponsoring organizations of adult day care centers to use the standard agreement provided by the MDHSS for use between the sponsoring organization and all centers under their sponsorship where those centers are legally distinct from the sponsoring organization, or that are not under the same organizational umbrella as the sponsoring organization. A copy of the sponsor-center agreement is available upon request from MDHSS-BCFNA.

The sponsoring organization may choose to develop its own separate agreement for use with centers, but the agreement must be approved by MDHSS-BCFNA prior to its use.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			8/11		6	6.16
CHAPTER Chapter 6 Requirements of Management – Sponsoring Organizations				SUBJECT Five-Day Reconciliation			

At each monitoring review, the sponsor is required to examine, document and verify the accuracy of the facility’s meal count records from the current or previous month for a period of five consecutive days. This will facilitate parent contacts, should those prove necessary. For each of the five days examined, the reviewer must determine, using enrollment and/or attendance records, the number of participants in care during each meal service and attempt to reconcile those numbers to the number of meal types (breakfast, lunch, supper or snack) recorded at the facility’s meal count for that day. Based on that comparison, the reviewer must determine whether the meal counts were accurate.

Before conducting the actual reconciliation, the monitor must evaluate the center’s enrollment and attendance records to ensure that they are current and accurate and; compare the center’s total meal counts to its licensed capacity. The meal counts for any day or any shift (if shift care is provided) should never exceed licensed capacity.


The monitor should start by comparing the center’s total enrollment to its recorded daily attendance, to ensure that the number of participants in attendance does not exceed the number of participants enrolled. If attendance does exceed enrollment for any day or any shift (if applicable), the source of the error (inaccurate attendance records, missing enrollment forms, for instance) must be determined before a five-day reconciliation can be completed.

It should be noted that, in all five-day reconciliations, meal counts must be compared to both enrollment and attendance records, whenever those records are available. If there are no enrollment forms, the monitor would reconcile meal counts to attendance records.

Next, the monitor will compare the center’s total attendance to its meal counts for any day or any shift (if applicable). The monitor will look at five consecutive days of aggregate meals counts for each approved meal type, to ensure that meal counts do not exceed the number of participants in attendance on any day or for any shift.

Finally, if meal counts and attendance cannot be reconciled, regulation requires the reviewer to determine whether the establishment of an overclaim is necessary.

Reference: 7CFR 226.16(d)(4)(i) and (ii)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM		ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL		12/11		6	6.17
CHAPTER Chapter 6 – Requirements of Management – Sponsoring Organizations			SUBJECT Annual Training			

Sponsoring organizations of adult day care centers are required by Federal Regulation to conduct Child and Adult Care Food Program (CACFP) training on an annual basis. Training must be documented on CACFP-222 form (or sponsor created form with same training requirements) available at:

<http://health.mo.gov/living/wellness/nutrition/foodprograms/cacfp/appsforms.php>. Training must include instruction, appropriate to the level of staff experience and duties, on Program requirements. The center must retain training documentation including a training outline or lesson plan.

Sponsors of adult day care centers must conduct annual training to facility staff on the following CACFP subject areas:

- Meal Pattern Requirements;
- Recordkeeping Requirements;
- Meal Count Procedures;
- Reimbursement System;
- Claim Submission & Review Procedures; and
- Civil Rights Training.*


*Sponsors of adult day care centers are responsible to train individuals identified as front line staff on specific Civil Rights subject areas which include, but are not limited to:

- Collecting and using data;
- Effective public notification systems;
- Complaint procedures;
- Compliance review techniques;
- Resolution of noncompliance;
- Requirements for reasonable accommodation of persons with disabilities;
- Conflict resolution; and
- Customer service.

A civil rights training power point presentation is available at:

<http://health.mo.gov/living/wellness/nutrition/foodprograms/cacfp/training.php>.

References: Federal Regulation 7 CFR 226.15(e)(14)
 FNS Instruction 113-1

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	3/12	7	7.1
CHAPTER Chapter 7 Meal Pattern				SUBJECT Requirements for Meals			

Breakfast

A breakfast meal shall include a serving of fluid milk as a beverage or poured over cereal; a serving of fruit/vegetable or 100% fruit juice, and two servings of whole-grain, enriched or fortified grain/breads.

Milk* cannot be added to a product during the preparation process and be considered as a serving of milk. For example, milk added to eggs cannot be counted as any part of the milk serving.

Lunch

A lunch shall include a serving of fluid milk*; one serving of lean meat or meat alternate; two or more servings of different vegetables and/or fruits, and two servings of whole grain or enriched grain/breads.

Supper

A supper shall include one serving of lean meat or meat alternate, two or more servings of different fruit and/or vegetables, and two servings of whole grain or enriched grain/breads. Fluid milk is *not* required at supper.

Snack


A snack shall include at least two of the four menu components (meat/meat alternate, 100% juice, fruit or vegetable, whole grain or enriched grain/bread, milk*). The snack items must come from two different component groups. For example, orange juice and fruit cocktail would not be a creditable snack because both items come from the fruit/vegetable component group.

View the Food Chart – Adults on the CACFP website at:

<http://health.mo.gov/living/wellness/nutrition/foodprograms/cacfp/appsforms.php>.

*Refer to Section 7.3 on specific milk requirements.

Reference: 7CFR 226.60

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL	8/13/93	3/12	7	7.2
CHAPTER Chapter 7 Meal Pattern		SUBJECT Offer Versus Serve			

Offer versus serve is meal service option where adult participants are given the opportunity to select foods at each meal (except snacks). All required food components are “offered”; however, the participant may decline a certain number of components, depending on the meal type. Offer versus serve is a way to decrease food waste because participants choose only those foods they wish to eat*. The offer versus serve meal option can increase food intake for adults who are overwhelmed by the amount of food required by the CACFP meal pattern.

Assistance with meal component selection may be necessary in order to provide well-balanced meals. Participants are not required to decline foods that are offered, but may do so if they choose. The price of a reimbursable meal shall not be affected (discounted) if a participant declines a food item.

Adult day care centers may use one of two meal service options as described below. The centers must notify the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) if they are using the offer vs. serve option. The institution’s intent to participate in offer vs. serve must be noted in the Center Info Sheet “General Comments” box (line 66) in the on-line applications/claims database. MDHSS-BCFNA must also be notified if the center changes the option.

Option 1 – Decline Offer versus Serve

The center will offer and serve the required foods to all participants. The participants will not be able to decline service of any of the foods.

Option 2 – Participate in Offer versus Serve – According to 7CFR 226.20

The center will *offer* its adult participants all of the required food servings for breakfast, lunch and supper according to the *Adult Food Chart*. However, *participants may be permitted to decline* food items as follows:

- **At breakfast - one of the four required food items may be declined.**
A breakfast meal shall include a serving of four required food items: one serving of milk, one serving of vegetable and/or fruit or full-strength juice; and, two servings of grain/breads.
- **At lunch - two of the six required foods may be declined.**
A lunch shall include a serving of six required food items: one serving of milk; two servings of different vegetables and/or fruit; two servings of grain/breads; and, one serving of meat/meat alternates.
- **At supper - two of the five required foods may be declined.**
A supper shall include five required food items: two servings of different vegetables and/or fruit; two servings of grain/breads; and, one serving of meat/meat alternates.

***At Snack – Both snack components must be served.** Offer versus serve does not apply to snack meals.


The amount of milk purchased should correlate with the food preference of adults that routinely choose to drink milk in the 8 oz. minimum serving size offered. It is the responsibility of center personnel to *offer* milk as a beverage choice to participants according to the *Adult Food Chart*. The center should document daily portions *served* to justify that adequate milk is purchased for the number of participants who choose to drink milk.

Adequate milk purchases will be verified at CACFP monitoring reviews in compliance with the offer vs. serve meal option. The center must demonstrate that they offer milk to participants. Participants can decline the offered meal components without affecting reimbursement. If the center is ordering milk based on previous consumption patterns, they should have a plan on how to ensure that enough milk will be provided should the demand increase for any given meal.

In addition, the Nutrition Assessment component of the Individual Plan of Care (IPC) required for each functionally impaired adult participant should include all factors that impact eating and nutritional health such as food likes, food dislikes and cultural or religious dietary requirements. Nutrition assessment/IPC documentation that a participant does not like/drink milk should be acknowledged and factored in when determining adequacy of milk purchases at a monitoring review.

References: 7CFR 226.20(q)(1) and (2)
7CFR 226.69(q)

Adult Day Care Resource Manual for the USDA Child and Adult Care Food Program, 2005

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM		ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL		6/91	3/12	7	7.3
CHAPTER Chapter 7 Meal Pattern			SUBJECT Component Definitions			

Milk

Effective October 1, 2011, milk served in the CACFP for participants two years of age and older must be consistent with the most recent version of the Dietary Guidelines for Americans. Fluid milk served to participants *must be*: Fat-free (skim) or low-fat (1%) milk, fat-free or low-fat lactose reduced milk, fat-free or low-fat lactose free milk, fat-free or low-fat buttermilk, or fat-free or low-fat acidified milk. Milk served must be pasteurized fluid milk that meets State and local standards for milk, and may be flavored or unflavored.

Fluid milk is not a required component at the supper meal in adult day care facilities.

Reconstituted dry milk does not fit the definition of fluid milk is not creditable.

Meat

Meat and meat alternates include lean meat, poultry or fish, cheese, egg, cooked dry beans or peas, or nuts and seeds and their butters except for acorn, chestnut and coconut, or an equivalent quantity of any combination of these foods. Foods must be served in a main dish (or in a combination dish and one other component) to meet this requirement.

Alternate protein products may be counted as meeting part of the meat and meat alternate requirement. Before using these products, contact the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) for information and assistance on the preparation, serving, and crediting of these products.

Processed foods such as breaded meat products, frozen pizza, ravioli, corndogs, or tamales cannot be counted toward fulfilling the meat/meat alternate unless the center has documentation of the composition of the processed product. Refer to Section 7.7 for information on processed food documentation.

Nuts, seeds and nut butters may fulfill no more than one-half of the meat/meat alternate requirement for lunch/supper for CACFP and all of the meat/meat alternate requirements for the snack for CACFP. An additional meat/meat alternate component must be offered when nuts, seeds or nut butters are served at the lunch or supper.

Yogurt is creditable as a meat/meat alternate at lunch and snack only.

To be counted toward meeting any part of the meat/meat alternate requirement a menu item must provide a minimum of ¼ ounce of meat or meat.

Fruit/Vegetable

Vegetables and fruits are credited as served. Serving sizes of at least 1/8 cup of vegetables or fruits must be served to be credited towards the fruit/vegetable requirement. Less than 1/8 cup of vegetables or fruits must

be considered used flavorings or optional ingredients. In addition, garnishes, condiments, pickles, olives, or relishes cannot be counted to meet the vegetable/fruit requirement. The minimum amount of any fruit or vegetable served must be 1/8 cup. At least two different fruit and/or vegetables must be served at lunch and supper to meet the total (1/4 cup to 1/2 cup) requirement. Applesauce and apple wedges would only count as one fruit/vegetable serving since these products are from the same fruit.

Juice must be 100% full strength fruit, vegetable juice or juice blends, with no added sugar or sweeteners.

The type of fruit, juice and vegetable must be listed on the menu.

Cooked dry beans or peas may be counted as a vegetable component or meat alternate, but not as both in the same meal.

Grains/Breads

Grains/breads must be enriched, whole grain, or fortified to include bread, rolls, and quick breads, crackers and low moisture breads, pastas, cereal grains, and breakfast cereals, and dumplings, pancakes, and miscellaneous bread products.

In order to be creditable, a grain/bread must:

- Be whole-grain or enriched or made from whole-grain or enriched meal or flour; or if it is a cereal, the product must be whole-grain, enriched, or fortified*. Bran and germ are credited the same as enriched or whole grain meal or flour.
- Contain whole-grain and/or enriched flour and/or meal as specified on the label or according to the recipe; or must be enriched in preparation or processing and labeled enriched.
- Be provided in quantities specified in the Regulations and in at least the minimum serving sizes as specified in Program guidance.
- Serve the customary function of bread in a meal.
- Provide a minimum of a 1/4 cup serving size.
- Not be a dessert type food item at lunch or supper.


*Fortified products have iron, thiamine, riboflavin, and niacin added to the product.

Review the “Creditable Foods Guide” at:

<http://health.mo.gov/living/wellness/nutrition/foodprograms/cacfp/lawsregs.php> for specific food items.

Reference: 7CFR 226.20(a)

CACFP 20-2011, May 11, 2011

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL	6/91	3/12	7	7.4
CHAPTER Chapter 7 Meal Pattern		SUBJECT Types of Meal Service			

Unitized

Under the unitized method of meal service, each participant receives at least the minimum serving size of each required meal component. Meals may be pre-plated, served from a line or served to the table. Meals may be provided by a vendor or catered from a satellite kitchen. Regardless of the method, the full amount of all required meal components must be served initially.

Cafeteria Style

Centers may use traditional line service with participants moving through a cafeteria style line. The full amount of all required meal components must be served initially.

Family Style

Under the family style method of meal service foods are self served from bowls or dishes on the table. Replenishments of each meal component (menu item) are readily available at each table. Family style meal service is allowable for CACFP if:

- Enough food is placed in serving bowls/platters on each table to provide at least the minimum regulatory portion of each component for all participants at the table and to accommodate program adults supervising meal service at the table if they eat with the participants. Meals for program and non-program adults may not be claimed for reimbursement.
- When the full regulatory portion is not initially served to the participant, participating supervising adults must assume the responsibility of actively asking the participant if they would like the full portion during the course of the meal.

Any food placed on the table may not be reused or served as a leftover at a later time. Food which has been prepared, held at safe temperatures but not placed on the table, may be reused if properly/safely cooled, stored and reheated. Under the Missouri Department of Health and Senior Services Sanitation standards, milk should not be set out for any period of time but should be poured just before the meal service begins. The Missouri Department of Health and Senior Services recommend the purchase of half-pint cartons of milk or service from a milk dispenser. Sanitation rules may vary depending on the location of the center. Please contact your local sanitarian for guidelines for your area.


With the meal types specified above, the minimum portion for all food items must be placed on a participant's plate in order to ensure that a reimbursable meal or supplement is served. If the participant is not served all required components, the meal may not be claimed for reimbursement.

The exception is if the center is using the "offer versus serve" meal service option. Participants are given the opportunity to select foods at each meal. This is one way to increase food consumption and decrease waste because participants choose only those foods they wish to eat.

Adult day care centers using the “offer versus serve” meal service option must offer participants all of the required meal components in at least the minimum regulatory serving sizes. However, the adult participant may decline one meal component at breakfast and up to two meal components at lunch and supper. Both snack components must be served.

See Section 7.2 for additional information on offer versus serve and Section 7.5 for exceptions on when all required components do not have to be served.

Reference: Adult Day Care Resource Manual for the USDA Child and Adult Care Food Program; NFSMI
Item Number ET49-05
7CFR 226.20(q)(1)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL	6/2011		7	7.5A
CHAPTER Chapter 7. Meal Pattern		SUBJECT Food Substitutions for Disability and Medical or Special Dietary Needs			

To claim a meal for reimbursement, the child must be served the required minimum components. Exceptions to this requirement occur under the following circumstances:

1. Disability

A person with a disability is any person who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment. **Adult day care centers participating in the CACFP are required to make substitutions or modifications to the meal pattern for a participant with a disability that restricts his/her diet.**

Substitutions must be made on a case by case basis and only when supported by a written statement signed by a licensed physician which explains the need for substitutions and includes recommended alternate foods. The medical statement must be kept on file at the center and shall identify:

- The participant's disability and an explanation of why the disability restricts the participant's diet;
- The major life activity affected by the disability; and
- The food or foods to be omitted from the participant's diet and the food or foods that must be substituted.

Reimbursement for meals served with an authorized substitute food to disabled participants shall be claimed at the same reimbursement rate as meals which meet the meal pattern. There shall not be a supplementary charge for the substituted food item to the participant.

Generally, a participant with a food allergy or intolerance is not considered a participant with a disability and institutions are not required to make substitutions. However, when in the physician's assessment food allergies may result in severe, life-threatening reactions (anaphylactic reactions); the participant then meets the definition of a participant with a disability.

2. Medical or Special Dietary Reasons

Adult day care centers may make substitutions for participants who are unable to consume a **food item** because of medical or other special dietary needs. Such substitutions may only be made on a case by case basis.


Participants with medical or special dietary needs may have substitutions to the meal pattern only when supporting documentation is on file. The documentation must be signed by a recognized medical authority such as a licensed physician, physician assistant, or nurse practitioner and must include the following:

- An identification of the medical or other special dietary need which restricts the participant's diet; and
- The food or foods to be omitted from the participant's diet, and the food or foods that may be substituted.

Reimbursement for meals served with an authorized substitute food to participants with special dietary needs must be claimed at the same reimbursement rate as meals which meet the meal pattern. There shall not be a supplementary charge for the substituted food item to the participant.

For information on substitutions for fluid milk, refer to Section 7.5 B.

Reference: 7CFR226.20(h) and (i)
FNS Instruction 783-2 Rev.2

 MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL	ISSUED	REVISED	CHAPTER	SECTION
	12/11		7	7.5B
CHAPTER Chapter 7. Meal Pattern		SUBJECT Milk Substitutions for Medical or Special Dietary Needs (Non-Disability)		

The Healthy, Hunger-Free Kids Act of 2010 (the Act), Public Law 111-296, has modified requirements for fluid milk and fluid milk substitutions in the Child and Adult Care Food Program (CACFP). Fluid milk served in the CACFP must be consistent with the 2010 Dietary Guidelines for Americans. In addition, the Act allows the substitution of non-dairy beverages that are nutritionally equivalent to fluid milk in cases of special dietary needs without additional documentation.

Substitutions for Fluid Milk (cow’s milk):

Non-dairy beverages, such as soy milk, rice milk, or almond milk, may be served in lieu of fluid milk provided the following:

1. **Non-dairy beverages must be nutritionally equivalent to milk** and meet the nutritional standards for fortification of calcium, protein, vitamin A, vitamin D, and other nutrients to levels found in cow’s milk. There is no requirement that non-dairy beverage substitutes meet the low-fat (1%) or fat free (skim) requirement of cow’s milk. Only a beverage meeting the nutrient standards at levels specified may be substituted for fluid milk as follows:

Nutrient	Per one (1) cup (8 ounces)
Calcium	276 mg.
Protein	8 gm.
Vitamin A	500 IU.
Vitamin D	100 IU.
Magnesium	24 mg.
Phosphorus	222 mg.
Potassium	349 mg.
Riboflavin	0.44 mg.
Vitamin B-12	1.1 mcg.

It should be noted that the availability of nutritionally equivalent non-dairy beverage products that meet USDA’s criteria as a fluid milk substitute is currently limited to the following soy products and may not be available in all parts of Missouri: 8th Continent Original Soy Milk, Pacific Natural Ultra Soy Milk (Plain), Pacific Ultra Soy Milk (Vanilla), Kikkomon Pearl Organic Soymilk (Creamy Vanilla), and Kikkomon Pearl Organic Soymilk (Chocolate).

NOTE: Additional products may become available that comply with the nutrition requirements for a non-dairy fluid milk substitute. Because the Nutrition Facts Label on food products do not list all the required nutrients, the adult day care center needs to request documentation from the product manufacturer to confirm the presence of all required nutrients at the proper level. MDHSS-BCFNA can provide guidance or assist with product selection.

2. A participant, family member or guardian may now request in writing a non-dairy milk substitution without providing a medical statement. The non-dairy beverage must be nutritionally equivalent to

milk in order to claim the meal for reimbursement. Such substitutions are at the option and expense of the facility.

The Act does not specify the medical or special dietary needs that are covered by the milk substitution provision. *Any reasonable request could be accepted at the discretion of the center.* For example, a request due to milk intolerance, vegan diet, as well as religious, cultural or ethical reasons would be acceptable and could be accommodated. If a request only states that a participant “does not like milk”, this would *not* be a reasonable request for a milk substitute.

Example: if a parent has a child who follows a vegan diet, the parent can submit a written request to the child’s caretaker asking that soy milk be served in lieu of cow’s milk. The written request must identify the medical or other special dietary need that restricts the diet of the child. It is at the center’s option and expense to meet the request for the vegan diet.


Substitutions for Food other than Milk:

There have been no changes to the policy regarding substitutions made for food (other than milk). The center may choose to provide substitutions on a case by case basis and only when supported by a written statement signed by a recognized medical authority which explains the need for substitutions and includes recommended alternate foods. Such substitutions are at the option and expense of the facility. See Section 7.5A for more information on food substitutions for individuals with special dietary needs.

Substitutions for Children with Disabilities:

The requirements related to milk or food substitutions for a participant who has a medical disability and who submits a medical statement signed by a licensed physician remain unchanged. Adult day care centers are **required to accommodate the dietary needs of children with disabilities** as described in Section 7.5A of this manual.

Reference: 7 CFR226.20(h) and (i)
7 CFR210.10(m)(3)
CACFP 21-2011, May 11, 2011

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM		ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL		6/91	4/12	7	7.6
CHAPTER Chapter 7 Meal Pattern			SUBJECT Food not Provided/Prepared by the Center			

To claim reimbursement for a meal, the adult day care center must supply all of the CACFP meal components and the food must originate from an approved source in compliance with Missouri Food Code laws and be deemed as creditable by MDHSS-BCFNA. Approved food sources include food service distributors, supermarket chains, convenience stores, local grocers and other retail stores selling food and non-food items in compliance with Missouri Food Code laws. Refer to Section 7.7 for information on non-traditional food sources. In all cases, original dated food purchase receipts must be itemized and legible to verify non-profit food service (see Section 9.6).

Food provided by families – or from other unapproved sources cannot be counted as fulfilling the CACFP required components. If the adult day care center provides all required meal components and family or others provide an additional (extra) food item for a meal or snack, the meal *may* be claimed; however, it is strongly recommended that the required meal components be served before any additional or extra foods are offered.

Example – snack that **can** be claimed:

The center serves apple wedges and skim milk (two different center provided menu components) and then offers each adult a cookie that the family provided (after the fruit and milk are served); the center may claim the snack for reimbursement.

Example – snack that **cannot** be claimed:

John Doe’s family brings cookies for the snack to help celebrate his birthday. The center serves only the cookies provided by the family and 1% milk for the snack meal. The snack cannot be claimed because both components were not provided by the center.

Food prepared at the center but served off-site – this situation may arise if center participants leave the center, for a “field trip”, for instance.

Example – meals that **can** be claimed:

Picnic lunch meals are prepared/packed at the center and are served off the center grounds but are *supervised by center personnel* may be claimed; however, care must be taken to assure that potentially hazardous foods are maintained at or below 41° Fahrenheit and 135°F or above. Meal counts needed to be recorded in the off-site situation.


Example – meals that **cannot** be claimed:

Sack lunch meals are “packed” at the center and sent with a participant to eat at another location, *without the supervision of center personnel*, are not eligible to be claimed for CACFP reimbursement.

Restaurant food or food purchased from a fast food establishment – or meal components purchased at a fast food establishment may not be claimed for reimbursement. Example: pizza is purchased from *Pizza*

Hut for a special meal at the center. While a restaurant is an approved food source, the pizza is not creditable, due to lack of processed food documentation. Refer to Section 7.7 for additional information on processed food documentation.

References: Missouri Food Code
19 CSR 20-1.025

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	4/12	7	7.7
CHAPTER Chapter 7 Meal Pattern				SUBJECT Non-Traditional Food Sources & Commercially Processed Food			

I. NON-TRADITIONAL FOOD SOURCES

To claim reimbursement for a snack or meal, the adult day care center must supply all of the CACFP meal components and the food must originate from a source in compliance with Missouri Food Code laws. Traditional (approved) food sources include food purchased from food service distributors, supermarket chains, convenience stores, local grocers and other retail stores selling food and non-food items in compliance with Missouri Food Code laws.

A. Unapproved Food Sources – these items cannot be used in the CACFP:

Home Canned or Home Vacuum-Packaged Foods - Food prepared in a private home cannot be used or offered for human consumption in a food establishment. Without process controls, the safety of home processed food cannot be determined. Jams, jellies and fruit butters (apple butter) are included in the category of home canned foods.

Home Butchered Meat, Poultry or Wild Game Animals – does not meet the definition of an approved food source and is prohibited from being served in the CACFP. Wild game is not allowed to be used in FNS Child Nutrition Programs.

Non-Commercial Fish – home caught fish cannot be used in the CACFP.

Food Auctions and Salvage Outlets – these are unapproved food sources due to the uncertainty of product quality and inability to determine product safety.

B. Approved Food Sources – food can be purchased from these sources and used in the CACFP provided proper food safety practices are followed. The center must maintain itemized receipts to verify non-profit food service. Refer to Section 9.6 for more information on non-profit food service.

Farmers Market or Roadside Produce Stands – is limited to purchase of fresh and not packaged unprepared (whole, uncut) locally grown fruits, vegetables, in-shell nuts and fresh herb sprigs. Foods may not be processed or prepared beyond their natural state except for usual harvesting and cleaning processes. Fresh fruits and vegetables shall be thoroughly washed in water to remove soil and other contaminants before being cut, combined with other ingredients, cooked, or offered to participants in ready-to-eat form.

Center Gardens – food that is grown from seed or plant can be harvested and used for meals claimed in the CACFP. The center must maintain documentation of the cost (itemized receipt) of the seeds and/or plants. CACFP funds from the non-profit food service can be used (allowable cost) to purchase items such as watering cans, fertilizer, rakes, etc. as long as the items are used for the purpose of starting and maintaining a garden. Fresh fruits and vegetables shall be thoroughly washed in water to remove soil and other contaminants before being cut, combined with other ingredients, cooked, or offered to participants in ready-to-eat form.

Garden Donations – donations of fresh produce grown in gardens other than the center garden may be used as part of a reimbursable meal and is limited to: whole, uncut fruits and vegetables, in-shell nuts and fresh herb sprigs. Foods may not be processed or prepared beyond their natural state except for usual harvesting and cleaning processes. Fruits and vegetables must be thoroughly washed in water to remove soil and other contaminants before being cut, combined with other ingredients, cooked, or offered to participants in ready-to-eat form.

Food Bank and Food Pantries – Non-profit (faith based) and public centers may be eligible to “purchase” food from local food banks and pantries. The food is creditable in the CACFP only from the agencies that charge (price per pound, etc.) for the food. Centers must maintain itemized receipts of food purchased through food banks and food pantries to include the price per pound with total purchases extended on the invoice.

Outdated Food from Approved Retail Sources – products sold as outdated from an approved food source such as a retail grocer can be used in the CACFP; however, purchase and/or use of outdated infant formula is not permitted. The original label must be affixed to the outdated product and the integrity of the original container (can, package) cannot be compromised. Contact your local public health official with specific questions on use of outdated food in your area.

Game Animals – to be creditable in CACFP, fresh or frozen “game” meat (to include but not limited to deer, buffalo, goat) must be purchased from a USDA inspected establishment. Wild game is not allowed to be used in Child Nutrition Programs.

II. COMMERCIALY PROCESSED FOOD


Commercially processed frozen or canned “convenience” meat/meat alternate items such as chicken nuggets, pizza, corn dogs, burritos or ravioli, purchased from an approved source (food service distributor or retail grocer), must have documentation to verify the serving size and meal pattern contribution. Commercially processed main dish (entrée) food cannot be counted toward fulfilling the meat/meat alternate and grain/bread, fruit/vegetable components (if applicable) unless the center has documentation of the composition of the processed product. The following may be used to verify the contribution of processed foods to the CACFP meal pattern:

- The center must have **Child Nutrition (CN) label** documentation that verifies the meat/meat alternate and other meal component contribution(s), if applicable; or
- **Product Formulation Statement** (product analysis) signed by the manufacturer that verifies the meat/meat alternate and other meal component contribution(s), if applicable. Because the quality of processed foods varies greatly from manufacturer to manufacturer and from product to product, all processed foods must have documentation to verify the meal pattern contribution to the Child and Adult Care Food Program; or
- **Center product analysis** is another option that may be used to verify the edible meat/meat alternate contribution. The center must conduct and document its own analysis by removing breading from *whole pieces* of breaded items, such as fish sticks, then weigh the amount of the cooked meat after the breading has been removed.

If the center does not have processed food verification, it must supplement the product with a creditable meat/meat alternate source. For example, the center must add cooked ground beef and/or cheese to canned ravioli to equal the required meat/meat alternate portion. This information must be documented as a recipe to verify the minimum meal contribution is met.

All documentation regarding processed foods must be maintained in the center files. If information is unavailable at the time of a monitoring review, meals containing the processed foods may be disallowed.

References: Missouri Food Code (3 302.15)
19 CSR 20-1.025

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			11/1/06	1/17	7	7.8
CHAPTER Chapter 7 Meal Pattern				SUBJECT Meal Service Times and Duration			

Reimbursement for meals will only be made when meals are served during the center’s approved meal times as listed on the Center Information Sheet in the CACFP Application database. Meal times may be changed as needed, within the requirements of this policy, and through revision and approval of the Center Information Sheet in the CACFP Web-based system at: <https://dhssweb04.dhss.mo.gov/cnp>.

Approved Meals

Adult day care centers may claim two meals (breakfast, lunch, supper) and one snack per participant per day or two snacks and one meal per participant per day.

Meal time duration

When scheduling meal times, the following guidelines will be used for approval:

Breakfast

- The duration of the breakfast meal service may take no more than two hours from start to finish.
- The breakfast must be served at a time traditionally considered as the normal serving time for breakfast.

Snack

- The duration of the snack service may take no more than two hours from start to finish.
- A snack may be approved for midmorning, afternoon and evening.
- A snack may be scheduled no earlier than 2 hours after the completion of the previous meal or snack.
- *The midmorning snack may be served at a time less than 2 hours following the completion of the breakfast meal only in situations where the adults served the morning snack are totally different adults, who arrive at the center too late for the scheduled breakfast.*

Lunch

- The duration of the lunch meal service may take no more than 2 hours from start to finish.
- The lunch must be served at a time traditionally considered as the normal serving time for lunch..
- The lunch may be scheduled no earlier than 2 hours after the completion of the previous meal or snack.

Supper


- The duration of the supper meal service may take no more than 2 hours from start to finish.
- The supper may be scheduled no earlier than 2 hours after the completion of the previous meal or snack.
- The supper meal must be served at a time traditionally considered as the normal serving time for supper.

At least two hours must elapse between the end of one meal or snack service and the start of the following meal or snack.

Reference:

Time of meal service {226.20(k)} State agencies may require any institution or facility to allow a specific amount of time to elapse between meal services or require that meal services not exceed a specified duration.


CACFP policy 293 states that in order for a meal to be claimed it should be served at a time traditionally considered as the normal serving time for such a meal.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	8	8.1
CHAPTER Chapter 8 Recordkeeping				SUBJECT Purpose of Records			

All centers on the CACFP are required to keep original documentation of Program records on premise during business hours to verify compliance with Program regulations. Records verify that an institution is serving the required menu components in adequate quantities to participants. Records of enrollment, attendance and meal counts are required to support the monthly claim for meal reimbursement. Income Eligibility Forms must be maintained to document meal status. Title XX and Title XIX documentation must be maintained for for-profit centers, if applicable.

All required records must be maintained on location during licensed hours of business and available for review within one hour of arrival by federal and state officials. Failure to make any/or all records available within one hour of arrival to MDHSS-BCFNA representative may result in review findings, corrective action and/or overclaims.

All records identified in this chapter must be maintained for three years after the date the final claim for the fiscal year was submitted. A federal fiscal year is a period of 12 calendar months beginning October 1 of any year and ending September 30 of the following year. If audit findings have not been resolved, the records shall be kept as long as necessary to resolve the issues raised by the audit.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	8	8.2
CHAPTER Chapter 8 Recordkeeping				SUBJECT Records to Support Program Cost			

An institution must verify that all reimbursement received from CACFP is being used solely for the food service operation. The following expense documents associated with the CACFP must be maintained and records must be kept on file to support Program costs:

- Operating costs.** Operating costs include food expenditures, labor costs, non-food purchases, and contracted service costs. Itemized receipts and invoices for food and milk purchases shall be maintained to verify food expenditures. Itemized food donation receipts must also be retained. Expenses for personal items or items not related to the food service operation should not be included in the operating cost of the food service and should be circled and deducted from receipts. Non-food purchases that are required for the food service operation may be included as operating costs. Examples of non-food purchases which could be included as operating costs are single service and reusable dishes, utensils, and cleaning supplies used only for the food service operation.


If the total food expenditures exceed the monthly CACFP reimbursement, no other operating costs need to be documented. If total food expenditures are less than the CACFP monthly reimbursement, operating costs of labor and non-food purchases must be documented. If total operating costs are less than the monthly CACFP reimbursement, documentation of indirect costs must be maintained.

- Indirect costs.** Indirect costs are costs which are shared by other service areas of the center. Examples of indirect costs are rent, utilities, or salaries for staff. Rent is paid monthly for an entire center. A portion of that rent could be charged to the food service operation for the kitchen area.

For Example

Monthly rent for XYZ Adult Day Care Center is:	\$600
One-fourth of the adult day care facility is in the kitchen area:	<u>x .25</u>
\$150 of the rent could be charged to the food service.	\$150


The cost (mortgage) for a building owned by the institution cannot be included as indirect costs.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	8	8.3
CHAPTER Chapter 8 Recordkeeping				SUBJECT Records to Support the Claim			

The following original record documents must be kept in the business location during operating hours and on file to support the claim for reimbursement:

- Daily Dated Menus by meal type (breakfast, lunch, supper, snack)
- Income Eligibility Forms
- Enrollment Forms
- For profit centers: Title XX or Title XIX beneficiary documentation for enrolled participants
- Daily Attendance Records
- Point of Service Meal Count Records by date and meal type (breakfast, lunch, supper, snack)
- Production Records (for centers vended by a Food Service Management Company or Caterer)
- Food and milk purchase and donation (from approved sources) receipts

See Sections 5.2 and 6.3 for more information on recordkeeping. The *Adult Day Care Centers Recordkeeping Essentials of the CACFP* and the *Orientation Workbook for Adult Day Care Centers*, available at: <http://health.mo.gov/living/wellness/nutrition/foodprograms/cacfp/lawsregs.php>, provide additional Program information and forms.


	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	8	8.4
CHAPTER Chapter 8 Recordkeeping				SUBJECT Records to Support Compliance			

The following records must be maintained on file at the center during operating hours to demonstrate compliance with Program requirements:

- Adult Day Care License
- CACFP required Training Documentation
- Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance correspondence
- For-profit centers: copy of the current contract with the supporting agency and the billing to the agency for Title XX and/or Title XIX beneficiaries
- Civil Rights Compliance
- Program Services Contract
- Health Inspections and building Fire/Safety Inspections, if required by the local public health agency

These documents are in addition to the Food Service records specified in Section 8.3.


See Sections 5.2 and 6.3 for more information. Additional resources are available at:
<http://health.mo.gov/living/wellness/nutrition/foodprograms/cacfp/lawsregs.php>

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	8	8.5
CHAPTER Chapter 8 Recordkeeping				SUBJECT Records to Support For-Profit Eligibility			

For-profit centers must verify on a monthly basis that a minimum of 25% of the enrolled participants are Title XX and/or Title XIX beneficiaries, or at least 25% of the enrolled participants are eligible for free or reduced-prices meals based on income eligibility guidelines. Each enrolled participant must be in attendance at least one day during the claim month and can include a part-time and drop-in care participant.

For profit centers may submit a claim for reimbursement only for those months when 25% of the enrolled participants or 25% of the licensed capacity, whichever is less, are eligible for free and/or reduced-price meals or must have monthly billing invoices from the Title XX and/or Title XIX administering agency to verify that at least 25% of the enrolled participants are Title XX and/or Title XIX beneficiaries. Centers receiving both Title XX and Title XIX funding may establish their center eligibility on the combined number of Title XX and Title XIX beneficiaries.

See Section 4.4 for more information on how to determine Title XX and Title XIX eligibility.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	9	9.1
CHAPTER Chapter 9 The Monitoring Visit				SUBJECT Monitoring Visit			


The purpose of the monitoring visit is to ensure that the provider is operating the Program in accordance with the CACFP regulations and to provide technical assistance in any area relating to the CACFP. Regulation requires that all institutions be reviewed at least every three years.

All required records (original documents) must be maintained on location during licensed hours of business and available for review within one hour of arrival by federal and state officials. Failure to make any/or all records available within one hour of arrival to MDHSS-BCFNA representative may result in review findings, corrective action and/or overclaims.

Records maintained by the provider serve as a basis for verifying compliance to Program regulations. The areas and records which will be reviewed are as follows:

- Enrollment Records
- Daily Attendance Records
- Income Eligibility Forms
- For-Profit Eligibility (Title XIX and/or Title XX documentation, if applicable)
- Daily Dated Menus by Type (breakfast, lunch, supper, snack)
- Point of Service Meal Count Records by date and meal type (breakfast, lunch, supper, snack)
- Licensing Information
- Non-Profit Food Service Verification – itemized food, non-food and food service operating cost documentation to support the review month claim for reimbursement
- Civil Rights Compliance
- Program Services Contract
- Processed Food documentation, if applicable
- Medical Statements and Food and Non-Dairy Milk Substitution Documentation
- Plan of Care - Sponsoring Organizations (of two or more centers) must retain a plan of care for any functionally impaired participant. Record retention will be in a central location identified in the management plan.

- Documentation of Monitoring - Sponsoring Organizations (of two or more centers) only. Centers under the sponsor's jurisdiction must be monitored and documented for program compliance at least three times annually
- Other Required Documentation, such as sanitation inspection reports.


	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	9	9.2
CHAPTER Chapter 9 The Monitoring Visit				SUBJECT Meal Count Verification			

During a monitoring visit, the CACFP Nutritionist will review all original Income Eligibility Forms (IEFs), and/or Title XIX and/or Title XX records on file for the review month. The nutritionist will evaluate the records to determine if the participant should be claimed as free, reduced, or paid. Any IEFs not fully completed, missing, or not effective for the month reviewed, will be invalid and the participant will be classified in the paid category.

Based on the verification of the income eligibility records, the CACFP Nutritionist will document claim revisions for the review month, if applicable. Enrollment records are checked to verify that all participants claimed are enrolled at the institution and in attendance at least one day during the claim month. Attendance records are checked to verify that the participant was in attendance when the meal was claimed.

Once the meal count is verified for the test/review month, an overclaim or underclaim may be assessed. If the meal count results in an overclaim (center claim was overpaid), the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) will process the claim revisions. The institution may appeal actions that affect the institution’s participation or claim for reimbursement. Refer to Chapter 12 for appeal procedures.

If the meal count results in an underclaim, the institution may submit a revised claim. The underclaim will be processed by MDHSS-BCFNA only when the institution submits the revised claim within 90 days from the last day of the original claim month. An underclaim submitted after 90 days from the end of the claim month is not allowed by regulation to be processed by MDHSS-BCFNA.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	5/14	9	9.3
CHAPTER Chapter 9 The Monitoring Visit				SUBJECT Monitoring Policy			

By Regulation, each institution will be monitored at least every three years. Institutions having a history of problems may be monitored on a more frequent basis and new institutions will be monitored within the first year of participation in the Program. Monitoring visits may be announced in advance or they may be unannounced. If announced in advance, the institution will receive a letter, but no date will be specified. The review may be conducted at any time within 45 days from the date of the letter. For unannounced visits, no advance notification will be given.

The center will be accountable for having records available when the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition (CFNA) Nutritionist arrives at the center. All required records (original documents) must be maintained on location during licensed hours of business and available for review within one hour of arrival by federal and state officials. During all monitoring visits, all required records must be available to the CFNA Nutritionist within one hour of arrival.


NOTE: Failure to make any and/or all CACFP records available (within the required time) to substantiate the claim will result in findings, corrective action, and/or overclaim(s). CFNA has the authority to disallow up to 12 months of claims for reimbursement. The final monitoring review letter will document the total overclaim (overpayment determined by CFNA representatives) that the center or SO must repay.

The review officials will initially request CACFP records for one month; however, records for additional months may be requested. The following Program records will be reviewed and a complete meal service will be observed:

- Enrollment records and individual plans of care for all enrolled participants.
- Adult Income Eligibility Forms (IEFs). IEFs are not effective until signed and dated by participant or guardian, and an official of the adult day care center reviews the information, makes the meal classification designation, signs and dates the form. An entire household should be included on one form.
- Daily dated attendance records.
- Daily dated meal count records.
- Daily dated menus for the current fiscal year.
- Documentation of Non-Profit Foodservice includes verification of income to your food program and food service expenditures: food purchase receipts or invoices; and labor and indirect costs.
- Commercially processed food documentation (CN labels), if applicable.

- Copies of supporting documentation that the center has submitted to CFNA.
- CACFP training documentation including, dates, locations, topics, names of participants and signatures.
- Annual Beneficiary Data report (CACFP-226); visual racial/ethnic verification.
- If applicable, daily dated records of meals by type (breakfast, lunch, snack, supper) served to adults working in food service. Adult staff meals are not to be claimed for CACFP reimbursement.
- Current Section for Long Term Care license.
- For for-profit centers, a copy of your current contract with the supporting agency and the billing to the agency for the participants who are beneficiaries of Title XX or Title XIX.
- “And justice for All” poster posted in a location visible to the public available at: <http://health.mo.gov/living/wellness/nutrition/foodprograms/cacfp/publications.php>
- Medical Food Substitution form, completed by a recognized medical authority when meal pattern substitutions are required for a participant with a documented “disability” and when a substitution is made for medical or special dietary reasons (not a “disability”).
- Copy of the CACFP contract (covers five fiscal years).
- The most recent sanitation inspection report conducted by the state or local health department, if applicable.
- Food Service Contractor record keeping requirements for centers vended by a Caterer or Food Service Management Company (FSMC):
 - Copy of the food service contract or agreement
 - Production records
 - State or local health department verification
 - If applicable, documentation that the center obtained the Contractor using fair and competitive bid practices
- For Sponsoring Organizations (SOs) responsible for two or more centers, documentation of monitoring visits conducted.

Reference: 7CFR 226.6(m)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	9	9.4
CHAPTER Chapter 9 The Monitoring Visit				SUBJECT Monitoring Visit Report			


The institution shall receive a monitoring visit Report and final letter within one month from the on-site visit when no reporting errors are identified. The letter will outline any comments, findings, recommendations, and other required actions. Response to any action item noted in the letter is required within three weeks from the date on the monitoring visit letter.

The final letter and Report will be delayed when reclassification of income eligibility reporting errors are identified resulting in a monetary overclaim (claim was overpaid), requiring the center to complete Monitoring Review Claims Revision (MRCR) forms. The center will receive a MRCR action letter, MRCR form(s), and accompanying review worksheets with response due date. The final letter with overpayment schedule will be mailed after the MRCR(s) are processed and total overclaim is determined. The letter will outline any comments, findings, recommendations, and other required actions. A Corrective Action Plan (CAP) response to any action item noted in the letter is required within three weeks from the date on the monitoring visit letter.

Upon receipt of the center's CAP, the MDHSS-BCFNA Nutritionist will determine if all actions are satisfactorily addressed and if the CAP is deemed adequate. If the response is not satisfactory, further corrective action may be required.

If the MDHSS-BCFNA does not receive the corrective action response within the given time frame, the institution will receive a reminder (late) letter outlining the requirement to submit a Corrective Action Plan (CAP). If, after the second CAP submission notification, MDHSS-BCFNA does not receive a response, a Seriously Deficient Notice will be mailed classifying the center as seriously deficient for non-compliance with Program requirements and given 14 days to comply. If the center fails to respond within 14 days after notification of being declared seriously deficient, MDHSS-BCFNA will mail a letter proposing to terminate the institution from the CACFP in accordance with Program regulations.

If the monitoring visit reveals serious problems at the institution, the MDHSS-BCFNA nutritionist will take follow-up action. The unannounced follow-up review may be a return visit to the institution at a future date and/or a requirement that the institution submit monthly records to the MDHSS-BCFNA for review to substantiate the claim for reimbursement.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	9	9.5
CHAPTER Chapter 9 The Monitoring Visit				SUBJECT Meal Service Compliance			


During the monitoring review visit, the dated menus for the test month will be reviewed to determine if the required meal components and creditable foods are served. If the minimum portion sizes are not met or missing or non-creditable components are served, meals will be disallowed.

Itemized food and milk purchase receipts and donation receipts (from approved sources) will be reviewed to determine if the appropriate quantities of food items are purchased, prepared and served to program participants according to the dated menu. If food purchase receipts do not support the menus and indicate inadequate quantities of food and/or milk were purchased, meals will be disallowed from reimbursement. Inability to verify non-profit status, serving inadequate quantities or non-creditable food will result in meal disallowances.

The Nutritionist will observe meal preparation and meal service during the monitoring review. During the meal observation, it will be determined if adequate quantities of food are served to the participants. Serving less than the minimum required quantity of food may result in disallowance of meals. Meals may be disallowed if the meal is served before or after the approved meals times listed on the Center Information Sheet in the web-based Application database or if meals are not documented at the point of service.

If the center is using the “offer versus serve” meal service option, participants are offered all menu components in at least the minimal portions but can decline one meal component at breakfast and up to two meal components at lunch and supper for the meal to be claimed for reimbursement. Point of service meal count documentation is also observed. Meals will be disallowed if the point of service meal count records have not been completed for previous meals and/or if the meal count records have been completed before the approved meal service.


Refer to Section 7.2 for additional information on offer vs. serve.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	9	9.6
CHAPTER Chapter 9 The Monitoring Visit				SUBJECT Non-Profit Food Service Verification			

All CACFP reimbursement funds paid to an institution must be used solely for the food service operation. The Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition (MDHSS-BCFNA) Nutritionist will review expenditures and income to the Program for the review month to evaluate if the CACFP payment (monthly reimbursement) is being used solely for food service costs.

Itemized receipts for food and milk purchases and itemized documentation of food donations (from approved sources) will be reviewed. If food costs for the month are less than the CACFP reimbursement, the institution will be required to provide documentation of other food service costs such as food service labor, food service supplies, rent, and/or utilities. A simple record of revenues and expenditures is what is needed as long as the center is consistent with the guidance. If the total food service costs do not support the service of adequate, nutritious meals to participants, meals may be disallowed.

Reference: CACFP-607

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			5/03	12/11	9	9.7
CHAPTER Chapter 9 The Monitoring Visit				SUBJECT Monitoring Findings			

During the monitoring visit, the Missouri Department of Health and Senior Services- Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) Nutritionist will review:

- All Program records
- Staff training
- Safety and sanitation of the facility and supporting documentation, if required by the local public health agency
- Verification of Meal Claims with enrollment, attendance and meal count records
- Civil rights compliance
- Sponsor monitoring reviews (sponsors of two or more centers only)
- Observe a complete meal service


Institutions are graded A, B, or C based on the frequency and severity of findings.

The grade earned determines the normal frequency of MDHSS-BCFNA monitoring reviews.

- A – good review with no major problems, next review scheduled in two to three years.
- B – some problems identified relating to organizational and management practices, next review scheduled in one to two years.
- C – serious problems identified relating to organizational and management practices, institution is classified as seriously deficient. Follow-up is conducted after the Corrective Action Plan (CAP) is deemed adequate.

NOTE: There may be variations of these grades and time for follow-up based on the frequency and severity of the problems identified.

An institution with a C rating of seriously deficient must demonstrate that it has fully and permanently corrected all problems related to the findings to continue participation in the CACFP.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			3/05	1/14	9	9.8
CHAPTER Chapter 9 The Monitoring Visit				SUBJECT Food and Milk Purchase Verification			

During each CACFP monitoring review, the Missouri Department of Health and Senior Services – Community Food and Nutrition Assistance (CFNA) reviewer(s) will examine food and milk receipts and paid invoices to determine if the center or sponsoring organization (SO) has purchased adequate creditable food and milk to meet the minimum meal pattern requirements for the test month. Key food items that are tracked and verified, due to their limited shelf life, include, but are not limited to: bread, milk, fresh produce and other perishable items.

The reviewer(s) will also verify that valid receipts (original, dated and itemized only) support the menu and accurately reflect foods served and meals claimed for reimbursement. Meal disallowances may be made if menu items and CACFP purchases do not correlate. CFNA will also calculate that a sufficient amount of the CACFP reimbursement is spent on a per participant per day basis for the meals served as a means to document non-profit food service.

Milk Requirements:

Fluid milk (low-fat/1% or fat free/skim)* is a meal component required at the breakfast and lunch meals. Milk purchase requirements are based on the institution’s monthly claim for reimbursement for these meals. One gallon of milk will serve:

<u>Required Serving Per Meal</u>	<u>Servings Per Gallon</u>	<u>Age of Participants</u>
8 oz. (1 cup)	16 servings	Adult care

If the center does not participate in offer versus serve, the following example applies. The center served (claimed) 1,227 total combined breakfast and lunch meals. Milk usage is based on the eight (8) ounce required serving of milk per participant per meal. The reviewer(s) will calculate milk requirements as follows:

1,227 claimed meals x 8 ounces (required per meal) = 9,816 ounces of milk needed.
 There are 128 ounces of milk per gallon.
 9,816 ounces divided by 128 = 76.68 gallons of milk needed.

Using this example, the center should have purchased a minimum of 76.68 gallons or 77 gallons of milk to meet the meal pattern requirement for the meals claimed.

Keep in mind that this is only an estimate, as any milk served for the snack or supper meals is not included. If the center has milk on a large number of snack and/or supper menus, the calculations would be lower than the actual requirement.

*Milk served in the CACFP must be consistent with the 2010 Dietary Guidelines for Americans which requires that participants two years of age and older consume *only* fat free (skim) or low-fat (1%) fluid milk. Meal disallowances will also be made when non-compliant type(s) of milk (2% or whole) are purchased.


Offer versus Serve Meal Service Option:

For centers using the offer versus serve meal service option, determination of adequate milk purchases will be made on an individual basis. Offer versus serve is a provision under which centers are required to “offer” participants all of the food components and minimum serving sizes but participants may choose to decline one or more components at meals (does not apply to snack meals). See Section 7.2 for additional information on offer versus serve.

Inadequate Milk Purchase Protocol:

If CFNA determines that the center or SO has not purchased adequate quantities of creditable milk (low-fat/1% or fat free/skim), disallowances will be made as a percentage of the breakfast and lunch meals (as applicable) that fail to meet the minimum meal pattern requirements.

If it is determined at any future CACFP monitoring review, that an institution or SO is still not in compliance, your organization and the responsible principals will be classified seriously deficient (SD). A seriously deficient rating can lead to termination of the CACFP contract with CFNA and placement on the U.S. Department of Agriculture’s National Disqualified List (NDL). You will then be prohibited from participation for up to seven years.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	9	9.9
CHAPTER Chapter 9 The Monitoring Visit				SUBJECT Deficiencies/Disallowances			

Meals will be disallowed if the CACFP records reviewed do not support the claim for reimbursement. If the institution does not agree with the review findings that affect your participation or claim for reimbursement, an appeal may be filed. See Chapter 12 on how to file an appeal.

Under certain conditions, an institution may be determined to be seriously deficient. If an institution is seriously deficient and fails to correct the deficiencies, the institution will be terminated from the CACFP. The list of serious deficiencies is not identical for each category of institution (new, renewing, and participating) because the type of information likely to be available to the State agency (MDHSS-BCFNA) is different. Serious deficiencies for participating institutions are:

- A. Submission of false information on the institution's application, including but not limited to a determination that the institution has concealed a conviction for any activity that occurred during the past seven years and that indicates a lack of business integrity. 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 activity indicating a lack of business integrity as defined by MDHSS-BCFNA;
- B. Permitting an individual who is on the National Disqualified List to serve in a principal capacity with the institution or, if a sponsoring organization, permitting such an individual to serve as a principal in a sponsored shelter;
- C. Failure to operate the Program in conformance with the performance standards set forth in federal regulations;
- D. Failure to comply with the bid procedures and contract requirements of applicable federal procurement regulations;
- E. Failure to comply with the bid procedures and contract requirements of applicable Federal procurement regulations;
- F. Failure to maintain adequate records;
- G. Failure to adjust meal orders to conform to variation in the number of participants;
- H. Claiming reimbursement for meals not served to participants;
- I. Claiming reimbursement for a significant number of meals that do not meet Program requirements;
- J. Use of a food service management company that is in violation of health codes;

- K. Failure of a sponsoring organization to disburse payments to its facilities in accordance with federal regulations at 226.16(g) and (h) or in accordance with the sponsor's management plan;
- L. Claiming reimbursement for meals served by a for-profit child care center or a for-profit outside-school hours care center during a calendar month in which less than 25 percent of the children in care (enrolled or licensed capacity, whichever is less) were eligible for free or reduced-price meals or were title XX beneficiaries;
- M. Claiming reimbursement for meals served by a for-profit adult day care center during a calendar month in which less than 25 percent of its enrolled adult participants were title XIX or title XX beneficiaries;
- N. Failure by a sponsoring organization of day care homes to properly classify day care homes as tier I or tier II in accordance with 226.15(f);
- O. Failure of a sponsoring organization to properly train or monitor sponsored facilities in accordance with 226.16(d);
- P. Use of day care home funds by a sponsoring organization to pay for the sponsoring organization's administrative expenses;
- Q. Failure to perform any of the other financial and administrative responsibilities required by the regulations;
- R. Failure to properly implement and administer the day care home termination and administrative review provisions set forth;
- S. The fact that the institution or any of the institution's principals have been declared ineligible for any other publicly funded program by reason of violation of that program's requirements. However, this prohibition does not apply if the institution or the principal has been fully reinstated in, or is now eligible to participate in that program, including the payment of any debts owed;
- T. Conviction of the institution or any of its principals for any activity that occurred during the past seven years and that indicates lack of business integrity. 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 activity indicating a lack of business integrity as defined by the State agency; or
- U. Any other action affecting the institution's ability to administer the Program in accordance with Program requirements.

If MDHSS-BCFNA determines that a center or a sponsor of centers has committed one or more of the serious deficiencies listed in this policy, MDHSS-BCFNA will initiate action to terminate the contract of the center or sponsor and any responsible principals or responsible individuals. Responsible principals and responsible individuals are defined in Section 1.5.


MCHSS-BCFNA will notify the center's executive director and chairman of the board of directors that the center has been determined to be seriously deficient. The notice will identify the basis for the serious

deficiency(ies), the responsible principals and the responsible individuals, and will identify the timeframe for corrective action. The serious deficiency determination is not subject to appeal.

If a center fails to fully and permanently correct the serious deficiency, MDHSS-BCFNA will take actions to terminate the contract with center or sponsor, and to place the center and its responsible principals and responsible individuals on the National Disqualified List. See policy 9.10 for procedures regarding terminations.


If corrective action has been taken to fully and permanently correct the serious deficiencies within the timeframes specified in the notice of serious deficiency, MDHSS-BCFNA will notify the center's or sponsor's executive director and chairman of the board, and the responsible principals and responsible individuals, that MDHSS-BCFNA has temporarily deferred the serious deficiency determination. However, if it is found at any future review that the center or sponsor has failed to fully and permanently correct the serious deficiency(ies) noted in the initial serious deficiency notification, MDHSS-BCFNA will propose to terminate the center's or sponsor's CACFP contract without further opportunity for corrective action.

Reference: 7CFR226.6(c)(3)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			1/08	12/11	9	9.10
CHAPTER Chapter 9 The Monitoring Visit				SUBJECT Termination and Disqualification			

If an independent center or sponsoring organization (responsible for two or more centers) has not taken timely action to fully and permanently correct serious deficiencies noted from a monitoring review, the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) will notify the center’s or sponsor’s executive director and chairman of the board, and the responsible principals and responsible individuals that MDHSS-BCFNA is proposing to terminate the center’s or sponsor’s contract and to disqualify the center, sponsor, responsible principals and responsible individuals from future participation in the CACFP. The notice of proposed termination will include the basis for the proposed termination, an explanation that, if the center or sponsor voluntarily terminates the contract after receiving notice of the proposed termination, the center/sponsor and the responsible principals and the responsible individuals will still be disqualified, and the procedures for seeking an administrative review (appeal hearing). A center or sponsor will have 15 days from the date of notice of the proposed termination to request an administrative review. See chapter 12 for more information on appeals.

When the time for requesting an administrative review expires, or when the Administrative Hearing Official (Appeal Officer) upholds MDHSS-BCFNA’s proposed termination and disqualification, MDHSS-BCFNA will notify the center’s or sponsor’s executive director, chairman of the board, responsible principals or responsible individuals that the contract has been terminated and that the center/sponsor, the responsible principals and responsible individuals have been disqualified.

 <p>MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM</p> <p>ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL</p>	ISSUED	REVISED	CHAPTER	SECTION
	1/08	12/11	9	9.11
CHAPTER Chapter 9 The Monitoring Visit		SUBJECT Suspension of Participation		


If a state or local health official cites an adult day care center for serious health or safety violations, the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) will take immediate action to suspend the center’s participation in the CACFP, and will initiate action to terminate the center’s contract to participate in the CACFP and to disqualify the center, the responsible principals, and the responsible individuals. MDHSS-BCFNA will initiate this action even before any formal action is taken by the state or local health or safety official to revoke the center’s approval. In addition, if MDHSS-BCFNA determines that there is an imminent threat to the health or safety of center participants, or that the center has engaged in activities that threaten the public health or safety, MDHSS-BCFNA will notify the appropriate state or local health authority and take action consistent with the recommendations and requirements of those authorities.

MDHSS-BCFNA will notify the center’s executive director, chairman of the board, the responsible principals and responsible individuals that the center’s participation in the CACFP has been suspended, that the center has been determined to be seriously deficient, and that MDHSS-BCFNA is proposing to terminate the contract and disqualify the responsible principals and responsible individuals. The notice of suspension and proposed termination will include the basis for the serious deficiencies, an explanation that, if the center voluntarily terminates its contract after having been notified of the suspension and proposed termination, the center and the responsible principals and responsible individuals will be disqualified, that the serious deficiency determination is not subject to administrative review, and the procedures for seeking an administrative review. In addition, during the suspension, all payments to the center will be stopped. If the administrative review official overturns the suspension, the center may claim reimbursement for eligible meals served during the suspension period.

When the time for an administrative review expires, or when the Hearing Official upholds MDHSS-BCFNA’s proposed termination and disqualification, MDHSS-BCFNA will notify the center/sponsor’s executive director, chairman of the board, responsible principals and responsible individuals that the contract has been terminated and that the center/sponsor, responsible principals and responsible individuals have been disqualified.


Suspension Review: A center or sponsor may request a written review of MDHSS-BCFNA’s proposed suspension. The designated Hearing Official will review the proposed suspension. If the Hearing Official determines that the suspension is not appropriate, MDHSS-BCFNA will be prohibited from suspending the center/sponsor. If the Hearing Official determines that the suspension actions taken by MDHSS-BCFNA are appropriate, the center or sponsor will be suspended from participation in the CACFP beginning on the date the Hearing Official makes the decision. MDHSS-BCFNA will notify the center/sponsor’s executive director, chairman of the board, responsible principals, and responsible individuals that the center’s/sponsor’s participation has been suspended, including program payments, the effective date of the suspension, the procedures for seeking an administrative review, and an explanation that, if the Hearing Official overturns the suspension, the center/sponsor may claim reimbursement for the eligible meals served and the allowable administrative costs incurred during the suspension period.

The suspension of participation may remain in effect no longer than 120 days following the suspension review decision.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	10	10.1
CHAPTER Chapter 10 Free and Reduced-Price Meals				SUBJECT Non-Pricing Institutions – Policy Statement			

An institution is operating a non-pricing program when there is no separate identifiable charge for meals served to enrolled participants. Non-pricing occurs when families pay a general tuition charge that covers all areas of adult care services provided by the facility, including the meals and when there is no separate identifiable charge for the meals. All non-pricing institutions shall have a written policy, which states that there is no separate fee charged to participants for meals. The non-discrimination policy statement is included on the Application for Participation in the CACFP (Form CACFP-2). Institutions shall not participate in the CACFP unless the free and reduced-price policy statement has been signed and approved by the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA).

At a minimum, a non-pricing center shall have a nondiscrimination policy statement assuring that all participants are served the same meals at no separate charge without regard to these protected classes: race, color, age, national origin, sex, or disability.


	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	10	10.2
CHAPTER Chapter 10 Free and Reduced-Price Meals				SUBJECT Pricing Institutions – Policy Statement			

An institution is operating a pricing program if a separate identifiable fee is charged for meals served to enrolled participants. The center charges a fee, separate from tuition, for meals in order to make up the difference between the reimbursement provided by the CACFP and the actual cost of serving the meals. All pricing institutions shall submit, at the time of application, a written free and reduced-price policy statement to be used uniformly in the adult day care center(s) under the institution’s jurisdiction. A sample non-discrimination policy statement is included on the Application for Participation in the CACFP (CACFP-2). Institutions shall not participate in the CACFP unless the free and reduced-price policy statement has been signed and approved by the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA).

The non-discrimination policy statement for pricing centers for determining eligibility for free and reduced-price meals shall include at a minimum:

1. Specific criteria to be used in determining eligibility for free and reduced-price meals. The eligibility criteria shall conform to the current Secretary of Agriculture’s income standards. Such methods will ensure that applications are accepted from households whose participants are Supplemental Nutrition Assistance Program (formerly food stamps), SSI or Medicaid recipients.
2. Description of the method used to:
 - Accept applications from families for free and reduced-price meals; and
 - Collect payments from those participants paying the full or reduced-price of the meal which will protect the anonymity of the participants receiving a free or reduced-price meal.
3. An assurance that the institution will establish a hearing procedure for use when benefits are denied or terminated as a result of verification. The hearing procedure shall include at a minimum:
 - A simple, publicly announced method for a family to make an oral or written request for a hearing.
 - An opportunity for the family to be assisted or represented by an attorney or other person in presenting its appeal.
 - An opportunity to examine, prior to and during the hearing, the documents and records presented to support the decision under appeal.
 - The hearing shall be held with reasonable promptness and convenience to the family and that adequate notice shall be given to the family as to the time and place of the hearing.
 - An opportunity for the family to present oral or documentary evidence and arguments supporting its position.
 - An opportunity for the family to question or refute any testimony or other evidence and arguments supporting its position.
 - The hearing shall be conducted and the decision made by a Hearing Official who did not participate in making the initial decision.


- The decision of the Hearing Official shall be based on the oral and documentary evidence presented at the hearing and made a part of that hearing record.
 - That for each hearing, a written record shall be prepared including the issue under appeal, the documentary evidence, a summary of any oral testimony presented at the hearing, the decision of the Hearing Official, and the reasons therefore, and a copy of the notification to the parties concerned of the Hearing Official's decision.
 - Such written record shall be preserved for a period of three years and shall be available for examination by the parties concerned or their representatives at any reasonable time and place during such a period.
4. 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, referred to as protected category.
 5. An assurance that the charges for a reduced-price lunch or supper will not exceed 40 cents, that the charge for a reduced price breakfast will not exceed 30 cents and the charge for a reduced price supplement will not exceed 15 cents.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			3/91	12/11	10	10.3
CHAPTER Chapter 10 Free and Reduced-Price Meals				SUBJECT Press Release			

Each year, the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) shall provide information to media sources (television, radio, or newspaper) serving the area from which the institution draws its attendance. This public release will include the income eligibility guidelines for free and reduced-price meals. The public release for non-pricing institutions will announce the availability of meals at no separate charge.

The public release for pricing institutions shall announce the availability of free and reduced-price meals to participants meeting the approved eligibility criteria.

All releases will state that “The same meals are available to all enrolled participants without regard to race, color, national origin, sex, age, or disability, and there is no discrimination in the course of the meal service. If you believe that you have been treated unfairly in receiving food services for any of these reasons, write immediately to the Secretary of Agriculture, Washington, D.C. 20250.”

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			3/91	12/11	10	10.4
CHAPTER Chapter 10 Free and Reduced-Price Meals				SUBJECT Income Eligibility Form Overview			

In order to qualify for free or reduced-price meals, an Income Eligibility Form (IEF) must be completed by the participant, family or guardian of the participant attending the center on an annual basis.


Should an enrolled participant be unable to complete the IEF and if no family member or guardian is available to complete the form, the center may complete an IEF on the participant's behalf **if** the participant is categorically eligible for free meals. The participant's file must contain documentation of his/her categorical eligibility. A participant is categorically (automatically) eligible to receive free meal benefits when they are a Supplemental Nutrition Assistance Program (formerly Food Stamps), SSI, or Medicaid recipient.

The IEF serves as a tool to evaluate the eligibility status of the participants served. Federal Regulations require that specific information be collected on the form in order for benefits to be received. It is very important that the IEF be accurately completed by the participant, family or guardian, and is carefully evaluated by the center personnel before a claiming classification is determined. Incorrect claiming classifications will result in a payment to the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA).

The IEF must be completed annually using the current Income Eligibility Guidelines. The IEF is effective on the first day of the month during the month the IEF is approved, signed and dated by the center representative. The IEF is current and valid until the last day of the month in which the form was dated (approved and signed by the center representative) one year earlier. The IEF may be updated during the course of the 12 month period if the household income changes (for a participant originally approved for reduced-price or paid meals) that would make the participant eligible for free or reduced-price meal benefits. The center has each household complete an IEF when the participant is enrolled. At the end of one year, the household will complete a new IEF. This requires the center will update individual participant's IEFs each month.


New income eligibility guidelines are issued every year in July. IEFs that are completed prior to July of the current year should not be re-evaluated when the new income guidelines are issued. For example, if the family, guardian, or enrollee completes a new IEF in January, eligibility for free or reduced-price meals must be based on income guidelines issued in July of the previous year. When the new income guidelines are issued later in July of the same year, the center cannot re-evaluate the IEF completed in January using the new guidelines. Eligibility must continue to be based on the guidelines issued the previous year, prior to completion of the IEF. The only way the new income guidelines can be utilized in this example is if the family, guardian, or enrollee completes a new IEF in July of each year.

More information can be found in the booklet entitled Income Eligibility Guidance for Adult Day Care Centers at: <http://health.mo.gov/living/wellness/nutrition/foodprograms/cacfp/lawsregs.php>.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	10	10.5
CHAPTER Chapter 10 Free and Reduced-Price Meals				SUBJECT Application for Free and Reduced-Price Meals			

To determine the participant’s eligibility for free and reduced-price meals, adult day care centers will provide an Income Eligibility Form (IEF) to each enrolled participant, family or guardian. In the CACFP, a participant can be claimed as free, reduced, or paid. The free category provides a substantial per meal reimbursement whereas the paid category provides a minimal meal reimbursement. A sample IEF and instructions for completion can be found in the booklet entitled “Income Eligibility Guidance for Adult Day Care Centers.” This booklet is reissued each July when the Federal Income Guidelines are received by MDHSS-BCFNA. The guidelines can also be located on the CACFP website at: http://health.mo.gov/living/dnhs_pdfs/R_CACFP_IEGbook_adult.pdf.


Every participant claimed for free or reduced-price meals must have an IEF on file. The center director or trained designee must assure that the IEF is accurately completed. Center personnel will review the information, make the determination of meal status, sign and date the IEF. If a participant, family or guardian does not return the IEF, the participant shall be claimed as paid.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			3/91	12/11	10	10.6
CHAPTER Chapter 10 - Free and Reduced-Price Meals				SUBJECT Letter to Participants/Family Members/Guardians			

The participant, family, or guardian shall receive a letter informing them of the procedures regarding determining eligibility for free and reduced-price meals along with the Income Eligibility Form (IEF).

The Federal Regulations require that the participant letter contain certain information. A sample letter to the participant, family or guardian for non-pricing institutions can be found in the booklet entitled Income Eligibility Guidance for Adult Day Care Centers. The participant letter for pricing institutions is available on request from the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) or at:

http://health.mo.gov/living/dnhs_pdfs/R_CACFP_IEGbook_adult.pdf

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	10	10.7
CHAPTER Chapter 10 Free and Reduced-Price Meals				SUBJECT Determination of Eligibility – Non-Pricing			

Center personnel shall review the income eligibility form (IEF) referred to as the application to determine if the participant is eligible for the free, reduced-price or full-price (paid) meal category. The following steps shall be taken when determining the eligibility of the participant:


- The application shall be reviewed by the authorized center personnel to determine if all portions of the application have been completed accurately. The application is not valid if not fully completed, signed and dated by the participant, family or guardian. Should an enrolled participant be unable to complete the IEF and if no family member or guardian is available to complete the form, the center may complete the IEF on the participant’s behalf **if** the participant is categorically (automatically) eligible for free meals. The participant’s file must contain documentation of his/her categorical eligibility. A participant is categorically eligible to receive free meal benefits when they are a Supplemental Nutrition Assistance Program (SNAP) (formerly Food Stamps), SSI, or Medicaid recipient.

The center personnel shall determine the participant’s claiming category based on the income guidelines or categorical eligibility. Income guidelines can be found in the booklet entitled “Income Eligibility Guidance for Adult Day Care Centers” or on the web at:

http://health.mo.gov/living/dnhs_pdfs/R_CACFP_IEGbook_adult.pdf.

- To be approved for categorically eligible for free meals, the SNAP (formerly Food Stamps), SSI, or Medicaid case number must be listed on the Income Eligibility Form. If the SNAP, SSI, or Medicaid case number is not given on the IEF, the participant, family or guardian, must complete the entire application, providing household size and income levels.
- If the information given by the participant, family or guardian is incomplete or does not meet eligibility criteria, the participant must be claimed in the paid category.
- The Income Eligibility Form shall be reviewed, signed and dated by the authorized personnel once the eligibility determination is made. The Income Eligibility Form is not effective until the authorized center personnel verifies the information, determines eligibility category, signs and dates the form. Once signed and dated, an Income Eligibility Form is effective from the first day of the month that the form was signed and dated by the center personnel.
- The Income Eligibility Form is effective on the first day of the month during the month the form is approved, signed and dated by the center representative.
- The IEF is effective for a period of one year. The IEF current and valid until the last day of the month in which the IEF was approved one year earlier. This means that if an IEF was dated September 12, 2011, it is valid until the last day of September in 2012.

- New income guidelines are issued every year in July. Centers may not re-evaluate IEFs in July. For example, if the participant, family or guardian completes a new IEF in January 2012, eligibility will be based on the income guidelines issued in July 2011. When the new income guidelines are issued in July 2012, the center may not re-evaluate the Income Eligibility Form completed in January 2012 using the new income guidelines. The eligibility must continue to be based on the income guidelines in effect at the time the form was initially completed and reviewed.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	10	10.8
CHAPTER Chapter 10 Free and Reduced-Price Meals				SUBJECT Determination of Eligibility - Pricing			

Center personnel shall review the income eligibility form (IEF) referred to as the application to determine if the participant is eligible for the free, reduced-price or full-price (paid) meal category. The following steps shall be taken when determining the eligibility of the participant:


- The application shall be reviewed by the authorized center personnel to determine if all portions of the application have been completed accurately. The application is not valid if not fully completed, signed and dated by the participant, family or guardian. Should an enrolled participant be unable to complete the IEF and if no family member or guardian is available to complete the form, the center may complete the IEF on the participant's behalf **if** the participant is categorically (automatically) eligible for free meals. The participant's file must contain documentation of his/her categorical eligibility. A participant is categorically eligible to receive free meal benefits when they are a Supplemental Nutrition Assistance Program (SNAP) (formerly Food Stamps), SSI, or Medicaid recipient.

The center personnel shall determine the participant's claiming category based on the income guidelines or categorical eligibility. Income guidelines can be found in the booklet entitled "Income Eligibility Guidance for Adult Day Care Centers" or on the web at:


http://health.mo.gov/living/dnhs_pdfs/R_CACFP_IEGbook_adult.pdf.

- To be approved for categorically eligible for free meals, the SNAP (formerly Food Stamps), SSI, or Medicaid case number must be listed on the Income Eligibility Form. If the SNAP, SSI, or Medicaid case number is not given on the IEF, the participant, family or guardian, must complete the entire application, providing household size and income levels.
- If the information given by the participant, family or guardian is incomplete or does not meet eligibility criteria, the participant must be claimed in the paid category.
- The Income Eligibility Form shall be reviewed, signed and dated by the authorized personnel once the eligibility determination is made. The Income Eligibility Form is not effective until the authorized center personnel verifies the information, determines eligibility category, signs and dates the form. Once signed and dated, an Income Eligibility Form is effective from the first day of the month that the form was signed and dated by the center personnel.
- The Income Eligibility Form is effective on the first day of the month during the month the form is approved, signed and dated by the center representative.
- The IEF is effective for a period of one year. The IEF current and valid until the last day of the month in which the IEF was approved one year earlier. This means that if an IEF was dated September 12, 2011, it is valid until the last day of September in 2012.

- New income guidelines are issued every year in July. Centers may not re-evaluate IEFs in July. For example, if the participant, family or guardian completes a new IEF in January 2012, eligibility will be based on the income guidelines issued in July 2011. When the new income guidelines are issued in July 2012, the center may not re-evaluate the Income Eligibility Form completed in January 2012 using the new income guidelines. The eligibility must continue to be based on the income guidelines in effect at the time the form was initially completed and reviewed.
- Center personnel shall inform participant, family or guardian by written notice of the income eligibility determination. This written notice shall include at a minimum:
 - a) Results of the income eligibility determination;
 - b) The reason for the denial of benefits (if applicable);
 - c) Notification of the right to appeal;
 - d) Instructions on how to appeal; and
 - e) A statement reminding participant, family or guardian that they may reapply for free or reduced-price benefits (if they were determined to be reduced or paid status) at any time during the year should their household circumstances change.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	10	10.9
CHAPTER Chapter 10 Free and Reduced-Price Meals				SUBJECT Means Testing			

Under Title III-C of the Older American’s Act, adult day care centers are prohibited from using means testing for the receipt of benefits. The “no means testing” philosophy extends to only meals supported with Title III funds. Adult day care centers are not prohibited from requiring family size and income information for benefits provided under the CACFP.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	11	11.1
CHAPTER Chapter 11 Procurement				SUBJECT Overview			

Procurement of goods and services involves purchase of the desired product at the lowest price possible. Achievement of this objective requires careful planning on the institution's part. The planning process must include, at a minimum, the following steps:

- Determining the purchase method;
- Developing a blue print to describe the product or service rendered. The blue print is referred to as an Invitation for Bid;
- Determining the criteria used to award the bid;
- Soliciting (recruiting) providers to supply the product;
- Evaluating the bids received;
- Awarding the bid; and
- Monitoring the contract to assure compliance.

When completing each of the above stages, it is mandatory that federal and state regulations are followed. The above steps and applicable regulations will be detailed in the following sections. Instructions and sample forms are available at:

http://health.mo.gov/living/wellness/nutrition/foodprograms/cacfp/pdf/Contracting_Food_Svc.pdf


Regardless of the methods used for procurement, the shelter must assure that all procurement transactions, regardless of whether by sealed bids or by negotiation and without regard to dollar value are conducted in a manner that provides maximum open and free competition.

Competition is mandated so that Program goods, equipment, and services will be obtained at the lowest possible cost. All procurements must be made using competitive practices.

In order to assure that true competition is taking place, identical specifications, identical requests for bids or identical requests for proposals must be furnished to the potential vendors. All pertinent data must be made available to potential vendors.

To the extent possible, efforts must be made to include small, minority, women's, and labor surplus area firms on the solicitation list. These firms must be solicited when they are potential sources for purchased goods and services. When economically feasible, total requirements must be divided into small quantities and delivery requirements or schedules established to permit maximum participation by these firms.

When indicated, the services of the Small Business Administration and the Office of Minority Business Enterprise of the Department of Commerce should be used.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM		ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL		6/91	12/11	11	11.2
CHAPTER Chapter 11 Procurement			SUBJECT Determining the Purchase Method			

There are four different methods which can be used when purchasing goods or services. The methods are:

Small Purchase Threshold (Simplified Acquisition Threshold set by 41 U.S.C. 403(11))

Small purchase procedures are simple and informal procurement methods used in the purchase of services, supplies, or other property that fall below the \$100,000 threshold for private, non-profit organizations. In the state of Missouri, a formal bid procedure is required for any aggregate purchases in excess of \$100,000. When using the informal bid procedure, price or rate quotations shall be obtained from at least three qualified sources. While relatively simple and informal, small purchase procedures must still be conducted in a competitive manner. The items or services to be purchased must be adequately and consistently described for each prospective vendor so that each one can provide price quotes on the same merchandise or service.

Documentation of the price and rate quotations must be kept on file and available for review. The lowest and best bid shall be accepted.

Competitive Sealed Bids

Sealed bids are publicly solicited and a fixed-price contract is awarded to the bidder whose bid, conforming to all terms of the Invitation for Bid (IFB), was lowest in price. A fixed-price contract is defined as an agreement to pay a certain amount per unit of a good or service.

In order for the competitive sealed bid procedure to be feasible, these conditions must be present:

- A complete, adequate, and realistic specification or purchase description is available;
- Two or more responsible suppliers are willing and able to compete effectively for the business; and
- The procurement lends itself to a firm-fixed price contract. Selection of a successful bidder can be made principally on the basis of price.

If it is determined that competitive sealed bidding is appropriate, the following requirements must be met:

- Develop a complete, adequate, and realistic specification or purchase description. The description will be in the form of an IFB. The IFB shall clearly define the item or services needed in order for the bidders to properly respond. See Section 11.3 for more information on developing the IFB.
- Formally advertise for potential bidders. Part 226.21 of the CACFP regulations specifies that when non-profit institution contracts have an aggregate value greater than \$100,000, the institution must:
 - a. Publicly announce all proposed contracts at least 14 calendar days prior to the opening of the bids. The announcement shall include the time and place of the bid opening.
 - b. Notify the State agency at least 14 calendar days prior to the opening of the bids of the time and place of the bid opening.

- Publicly open all bids at the time and place stated in the invitation for bid.

Once the adult day care center has made a choice to award the bid, a firm-fixed price contract award shall be made by written notice to the responsive bidder whose bid, conforming to the invitation for bid, is lowest. Any or all bids may be rejected when there are sound documented business reasons in the best interest of the Program.

Competitive Negotiation

Proposals are requested from a number of sources and the request for proposal is publicized. Competitive negotiation may be used if conditions are not appropriate for the use of formal advertising. If competitive negotiation is used for procurement, contact the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA).


Noncompetitive Negotiation

This form of procurement is through solicitation of a proposal from only one source. This form of procurement can only be used under the following circumstances:

- The item is available from a single source;
- Public exigency or emergency when the urgency for the requirement will not permit a delay incident to competitive solicitation;
- FNS authorizes noncompetitive negotiation; or
- After solicitation of a number of sources, competition is determined inadequate.

Under no conditions can a cost plus percentage of cost method of contracting be used.

Reference: 7CFR226.21 and 226.22 and 41 U.S.C. 403(11)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	11	11.3
CHAPTER Chapter 11. Procurement				SUBJECT Developing the Invitation for Bid			

Just as a construction worker needs good blueprints to build a quality home, a food service vendor or caterer needs specific instructions regarding the food you, as a buyer, want delivered.

Part 226.6(i) of the CACFP regulations requires the following minimum specifications be placed in the blueprint or Invitation for Bid (IFB):

- The contractor shall maintain such records as the center will need to support the monthly claim for federal reimbursement and shall provide invoices and daily delivery reports to the institution no less frequently than monthly. These records shall be available for inspection and audit by representatives of the State agency, U.S. Department of Agriculture, and U.S. General Accounting Office for a period of three years from the date of receipt of final payment under the agreement or until final resolution of any audits.
- The contractor shall have certification from the State health department or the local health department official deputized by the state health department for any facility in which it proposes to prepare food and/or serve meals and shall maintain this health certification for the duration of the agreement.
- The contractor shall ensure health and sanitation regulations are met at all times. The contractor shall provide meals for periodic inspection by the local health department to determine bacteria levels in the meals being prepared.
- Payment shall not be made for meals that are delivered outside of the agreed upon delivery time, are spoiled or unwholesome at the time of delivery, do not meet the requirements for each food component, or are delivered with potentially hazardous foods at temperatures between 41 to 135° Fahrenheit.
- Any federally donated commodities received by the center and made available to the contractor shall be used only for the food service program in that center.
- A delivery schedule specifying when meals will be delivered and to what location.
- A provision allowing increases and decreases in the number of meals ordered.
- A cycle menu upon which the bid will be based.
- Meals provided by the contractor shall conform to the cycle menu upon which the bid was based, and to menu changes agreed upon by the center and food service management company.
- Names and addresses of all state agency approved facilities to which food shall be delivered.

- The contractor will operate in accordance with current Program regulations.
- All meals served under the contract shall meet the requirements of Part 226.20 of the CACFP regulations.
- The duration of the contract shall not exceed one year and shall include a termination clause whereby either party may cancel upon written notification.
- Provisions or conditions that will allow for administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms.
- An estimation of the number of meals, which shall be provided over a period of one year.

All contracts and sub contracts awarded in excess of \$100,000 shall:


- Contain a provision requiring compliance with Executive Order 11246 entitled “Equal Employment Opportunity” as amended by Executive Order 11375.
- Contain a provision which requires compliance with all applicable standards, orders, or requirements issued under Section 306 of the Clean Air Act, section 508 of the Clean Water Act, Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15).

Part 226.21 of the CACFP regulations further state that the IFB:

- Shall not provide for loans or any other monetary benefit or terms or conditions to be made to adult day care centers by food service management companies.
- Shall not include any nonfood items except for items that are essential to the food service (Example: straws, napkins, plastic utensils).
- Shall not specify special meal requirements to meet ethnic or religious needs unless special requirements are necessary to meet the needs of the participants to be served.

Only by specifying the above items will prospective providers know exactly what the buyer wants. Forms and Instructions and sample IFBs for food service purchases are available at:

http://health.mo.gov/living/wellness/nutrition/foodprograms/cacfp/pdf/Contracting_Food_Svc.pdf.


	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	11	11.4
CHAPTER Chapter 11 Procurement				SUBJECT Criteria for Awarding the Bid			

Awards for the bid can only be made to responsible contractors that have the potential ability to perform successfully under the bid conditions of the Invitation for Bid (IFB). Consideration shall be given to:

- Contractor integrity;
- Approved and licensed to provide catered meals;
- Compliance with public policy;
- Record of past performance; and
- Financial and technical resources.

Any criteria, other than cost, used to evaluate the bid should be clearly set forth in the IFB. Institutions must document the reason for selecting or rejecting a vendor. If the lowest bid price is not the determining factor, written justification must be maintained showing why one vendor was more beneficial than another to the Program.

Reference: 7CFR 226.22(h)(2)


	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	11	11.5
CHAPTER Chapter 11 Procurement				SUBJECT Opening, Evaluating, and Awarding the Bid			

All bids shall remain sealed and in a secure place prior to the bid opening. Any bids exceeding \$100,000 shall be publicly opened.

Bids shall be evaluated based on cost and criteria outlined in the invitation for bid. Based on these factors, a decision shall be made to award the bid. Any bids totaling \$50,000 or more must be submitted to the State agency for approval before acceptance. All bids shall be submitted to the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) for approval before accepting a bid which exceeds the lowest bid. State agencies shall respond to any request for approval within 10 working days of receipt.

Based on the bid evaluation, a firm fixed-price contract award shall be made by written notice to that responsible bidder whose bid, conforming to the invitation for bids, is lowest.


Reference: 7CFR226.22

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	11	11.6
CHAPTER Chapter 11 Procurement				SUBJECT Monitoring the Contract			

The adult day care center is ultimately responsible for assuring that the food service caterer is meeting all contract requirements. The center must monitor to assure the contractor is fulfilling all requirements of the contract. Items that should be monitored on an occasional basis include:

- Meal requirements of Federal Regulations 7 CFR 226.20 are being met.
- Caterer (contractor) has a current sanitation inspection on file. Any deficiencies noted by the sanitarian are corrected.
- Caterer is using foods from an approved source.
- Caterer is charging the adult day care center based on the terms of the contract.
- Caterer is maintaining all records to document costs charged to the CACFP provider to substantiate the claim for reimbursement.
- Caterer is maintaining production records to verify that minimum serving sizes are provided.
- Daily meal delivery tickets to verify the amount of food and/or number of meals provided to the center.
- Staff allocation verification, such as meals per labor hour statistics.
- Documentation of paid invoices to verify contractual accountability.
- The caterer shall not be paid for meals that are delivered outside of the agreed upon delivery time, are spoiled or unwholesome at the time of delivery, or do not otherwise meet the meal requirements contained in the contract.

Reference: 7CFR 226.6(i)(7)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	11	11.7
CHAPTER Chapter 11 Procurement				SUBJECT Code of Conduct			

Adult day care centers contracting for services shall maintain a written code of conduct which shall govern the performance of their officers, employees, or agents involved in the administration or award of the contract. No officer, employee, or agent shall participate in the selection or in the award or administration of a contract supported by CACFP funds if a conflict of interest, real or apparent, would be involved.


A conflict of interest may occur when:

- An employee, officer or agent; or
- Any member of their immediate family; or
- His or her partner; or
- An organization which employs or is about to employ any of the above; or
- Anyone who is associated with the center

has a financial or other interest in the firm selected for award.

An adult day care center's officers, employees, or agents shall also not solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub agreements.


Reference: 7CFR 226.22(d)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	11	11.8
CHAPTER Chapter 11 Procurement				SUBJECT Contracting with Small and Minority Firms			

To the extent possible, affirmative steps must be taken to assure small and minority businesses are utilized when possible. Affirmative steps to include small minority businesses are:

- Include such businesses on solicitation lists;
- Assure such businesses are solicited when they are potential sources;
- When economically feasible, divide total requirements into smaller tasks and quantities;
- Establish delivery schedules that encourage participation by these firms;
- Use services and assistance of the Small Business Administration and the Minority Business Enterprise of the Department of Commerce;
- Require prime contractors to take these affirmative steps if any subcontracts are to be let; and
- Take appropriate affirmative action in support of women's business enterprises.

Reference: 7 CFR 226.22(f)(1-7)


	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	11	11.9
CHAPTER Chapter 11 Procurement				SUBJECT Vendors Receiving Title III Funds			

Some Title III recipients, such as senior centers, act as a food service contractor by selling meals to other facilities. Some of the recipients of these meals are adult day care centers which receive CACFP reimbursement.

Facilities receiving CACFP reimbursement are recipients of federal funding. Any agency which is federally funded must follow procurement standards established in the CACFP regulations. One CACFP requirement is that the food service contract be awarded in an open, fair, and competitive manner.

Since CACFP reimbursement cannot be claimed for meals already receiving Title III assistance, CACFP adult day care centers must ensure that Title III funds or commodities are not used in the same meal(s) which they have purchased. To assure that the award is made in a competitive manner, the Title III food service vendor must assure that the meals provided are not supported by Title III funding. The senior center must charge the CACFP adult day care center the full cost of providing the meal. The full cost of the meal should include raw food cost, value of commodities, labor cost, and any indirect costs.

See Section 5.8 for more information.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	12	12.1
CHAPTER Chapter 12 Appeal Procedures				SUBJECT Actions Which Can be Appealed			

During the course of the CACFP contract with an institution, the Bureau of Community Food and Nutrition Assistance (BCFNA) may make determinations with which the center may not agree. For actions impacting the adult day care center, BCFNA will advise the institution of the grounds on which the actions are based. The notice of required action shall be sent certified mail to the center's executive director and chairman of the board of directors and the responsible principals/individuals. Also included will be a statement that the institution has the right to appeal the action.

An independent center or sponsoring organization (SO) may appeal decisions made by BCFNA. Actions that may be appealed are those that affect the participation of a center in the Program or the center's claim for reimbursement.


Actions which may be appealed include, but are not limited to:

- Denial of an center's application for participation;
- Denial of an application submitted by a sponsoring organization on behalf of a facility;
- Notice of proposed termination of the participation of a center;
- Notice of proposed disqualification of a responsible principal or responsible individual;
- Suspension of an center's contract;
- Denial of all or part of a claim for reimbursement;
- Demand for the remittance of an overpayment;
- Denial by the Missouri Department of Health and Senior Services (MDHSS) to forward to the USDA Food and Nutrition Service (FNS) an exception request by the center or SO for payment of a late claim or a request for an upward adjustment to a claim, or demand for remittance of an overclaim; and
- Any other action of the state agency affecting a center's participation or its claim for reimbursement.

Actions not subject to appeal include:

- A decision by FNS to deny an exception request by a center for payment of a late claim or for an upward adjustment to a claim;
- A determination that a center is seriously deficient;
- Disqualification and placement on the National Disqualified List (NDL); and
- Termination of a participating center's contract based on the disqualification of the center by another State Agency or FNS.

Reference: 7CFR 226.6(k)(2) and (3)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	12	12.2
CHAPTER Chapter 12 Appeal Procedures				SUBJECT Types of Appeals			

Appeals are conducted before a duly appointed administrative Hearing Officer. There are two types of appeals as follows:


- **Administrative review** is an in-person, verbal hearing at which testimony and evidence is submitted by the participant or participant’s legal counsel (required if incorporated or LLC) and the Missouri Department of Health and Senior Services (MDHSS).
- **Abbreviated administrative review** is a review of written material only. Written evidence is submitted to the Hearing Officer for consideration in the appeal. An appellant cannot request an administrative review after the abbreviated administrative review has taken place.

An appeal is limited to the abbreviated administrative review for the appellants under the following scenarios:

- Submission of false information on the application; or
- The participant(s) or one of its principals or one of its facilities is ineligible to participate; or
- The participant(s) or one of its principals or one of its facilities has been convicted for any activity that indicates a lack of business integrity.

The appeal request must state whether the sponsor/center wants an administrative review (in-person oral hearing) or an abbreviated administrative review (submission of written evidence).

Reference: 7CFR 226.6(k)(4) and (9)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	12	12.3
CHAPTER Chapter 12 Appeal Procedures				SUBJECT Filing an Appeal Request			

An independent institution or sponsoring organization can appeal any of the actions listed in Section 12.1 by filing a written request for appeal.

Filing the Request

The request for an administrative review must be submitted in writing and received by the hearing official and in the BCFNA office no later than 15 days after the date the notice of action is received by the institution. The counting of the 15 days allotted for the request to be received by the Hearing Official and the state agency begins on the fifth day after the date of mailing of the state agency notice, or on the date of e-mail or fax by the state agency, or on the date the institution receives the notice of findings, whichever is earliest. Late requests will not be accepted. Refer to the “What to do if you decide to appeal” flyer which is included with monitoring reports sent from the BCFNA.

The request for an appeal **must** state whether the sponsor/center want an in-person administrative review (oral hearing) or an abbreviated administrative review (written evidence). The request for an appeal **must** be submitted and received in a timely manner. The request for an appeal must be mailed to the:

Missouri Department of Health and Senior Services
 Bureau of Community Food & Nutrition Assistance
 P.O. Box 570
 Jefferson City, MO 65102

The appeal request must:


- Include the name, phone number, and mailing address of your institution.
- Clearly identify the findings that are being appealed, the basis of the appeal, and the remedy sought.
- Include written information to support the appeal (abbreviated review only).
- Include a copy of the notice from the State agency that gives rise to the review request.
- **State whether the participant is requesting an administrative review (in-person oral hearing) or an abbreviated administrative review (submission of written evidence).** A party or entity requesting a review may elect to have an abbreviated administrative review even though entitled to a full hearing.
- Be signed by the authorized representative of the institution and have the name and the title of the person who signed the request, if other than the authorized representative.

Notification and Scheduling of Administrative Review (in-person appeal hearing)

1. You will receive a docketing letter giving the date, time, and location of the administrative hearing by mail within days of receipt of the request.

2. Either the Missouri Department of Health and Senior Services (MDHSS) or the party requesting the review may thereafter seek a continuance (rescheduling) of the hearing. Such requests must be in writing and should state the reason for the continuance request. The continuance request must be sent to the State agency (MDHSS). Note: A request of a continuance by the appealing party may waive the right to decision within 60 days of the State agency (MDHSS) notice.
3. The Hearing Officer will notify both parties as to whether or not the continuance is granted or denied. If it is denied, the hearing will be held as originally scheduled. If it is granted, a new hearing date will be sent by the Hearing Officer. It is extremely helpful if a request for a continuance also contains a statement as to what dates for a new hearing are not available to the party requesting the continuance.
4. MDHSS has the right to file an objection to the continuance.
5. The institution can request copies of the information in the Bureau of Community Food and Nutrition Assistance's files upon which the adverse action was based.
6. **Representation by an attorney:** Missouri state law prohibits employees of a corporation (LLC or Inc.) from acting as an attorney on behalf of the employing corporation. An employee may participate in an administrative review on behalf of a corporation, but participation is limited to testimony about the relevant facts related to the appeal. A non-attorney may **not** file motions, briefs, or make legal arguments or examine witnesses.
7. MDHSS will have legal counsel representation at all in-person oral hearings.

ALL SUBMISSIONS OF WRITTEN MATERIAL MUST BE SUBMITTED BY MAIL. REQUESTS FOR CONTINUANCES MAY BE SUBMITTED BY FAX TO THE HEARING OFFICER.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	12	12.4
CHAPTER Chapter 12 Appeal Procedures				SUBJECT Determination of the Hearing Officer			

The Hearing Officer shall make a written determination based upon written information submitted by the Bureau of Community Food and Nutrition Assistance (BCFNA), written information submitted by the center in support of its position, additional information as may be obtained by the Hearing Officer from any other person or persons having relevant and pertinent information, and information presented orally at the hearing.

The Hearing Officer will make a determination on the action under appeal within 60 calendar days from the date of notice of the adverse action in accordance with the regulations governing the CACFP. This determination is the final administrative decision on the matter. It is not subject to further administrative review or reconsideration.

The Hearing Officer's determination will be sent by certified mail, return-receipt requested, to the appellant's institution or its representative. A copy will also be sent to the BCFNA. It will take effect immediately upon receipt by the appellant institution or its representative.


In the case of a denial of a center's application to participate in the Program, the determination of the Hearing Officer will either sustain the denial or shall direct that the institution or center be approved for participation.

In the case of a denial of all or part of a claim for reimbursement, or demand for refund of an overpayment, the determination of the Hearing Officer will either sustain the action under appeal, or specify the amount of the claim for reimbursement, or refund of overpayment to be paid.

In the case of the termination of a center's participation in the Program, the determination of the Hearing Officer shall either sustain the termination or shall direct that the center be permitted to continue participation in the Program.

If an appeal and request for administrative review involves any doubtful questions of law, the Hearing Officer will obtain the advice of the Office of General Counsel, Missouri Department of Health and Senior Services.

Reference: 7CFR 226.6(k)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM		ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL		6/91	12/11	12	12.5
CHAPTER Chapter 12 Appeal Procedures			SUBJECT Appeal of Proposal to Terminate Seriously Deficient			

A center and responsible principals and responsible individuals that receive a notice of a serious deficiency have the right to appeal the findings leading to the serious deficiency rating, but **not** the serious deficiency notice. See Section 9.7 for a listing of serious monitoring findings.

Institutions and responsible principals with serious deficiencies have 90 days to demonstrate “full and permanent” corrections by:

- Submission of a Corrective Action Plan that is deemed by MDHSS-BCFNA to adequately address the serious deficiencies


A copy of the notification of serious deficiency is forwarded to the United States Department of Agriculture – Mountain Plains Regional Office (USDA-MPRO) for tracking.

An unannounced follow-up monitoring review will be conducted to evaluate the effectiveness of the corrective actions taken by the center. If it is determined that the center has adequate measures in place to fully and permanently correct/eliminate the serious deficiency findings, MDHSS-BCFNA will temporarily defer the serious deficient determination. The temporary deferment of the serious deficient determination letter is forwarded to USDA-MPRO.

When a follow-up monitoring review demonstrates that limited or no corrections have been made, MDHSS-BCFNA will notify by certified mail, e-mail or fax of the “proposed termination” of the CACFP contract and disqualification of the responsible principals and responsible individuals. A proposal to terminate determination can be CACFP contract can be appealed. See Section 12.1 for specific details.

Regulations require that, in every instance, both the chairperson of the institution’s board of directors, as well as the executive director or other person responsible for the CACFP receive the notice of serious deficiency as well as any other principals or individuals named as “**responsible**” for the serious deficiencies. Typically, the executive director, owner, or other person with overall responsibility for the CACFP within the institution would be named as “responsible” for the institution’s serious deficiency. “**Responsible principals**” are those organization officials who, by virtue of their management position, bear responsibility for the institution’s serious deficiency. These management officials also bear responsibility for the poor performance of non-supervisory employees which may have caused the serious deficiency. Non-supervisory employees include contractors and unpaid staff, are named “**responsible individuals**” only when they have been directly involved in egregious acts, such as filing false reports or actively participating with institution principals in a scheme to defraud the Program.

Reference: CACFP Improving Management and Program Integrity, Final rule effective July 13, 2011
 Federal Register, Vol. 76, No. 113

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	ADULT DAY CARE CENTERS POLICY & PROCEDURE MANUAL			6/91	12/11	13	13.1
CHAPTER Chapter 13 Donated Food Program				SUBJECT Donated Food Program (Commodities)			

An approved adult day care center may receive CACFP reimbursement and United States Department of Agriculture (USDA) donated food (commodities) or cash-in-lieu of commodities for lunch and supper meals served to eligible participants.

Donated food is foods purchased by the USDA in large quantities. Products purchased may include beef, canned or fresh fruits and vegetables, grain products, peanut butter, or other available products. USDA distributes these products, through state outlets, to eligible agencies.

Adult day care centers receiving donated food must sign a contract with the Missouri Department of Social Services, Family Support Division (FSD). Signature on this contract indicates that the center agrees to abide by terms and conditions contained within the contract.

Cash-in-lieu of commodities is a monetary payment for each lunch or supper served. A center receiving cash-in-lieu of commodities will receive a per lunch/supper meal reimbursement. This payment is equivalent to the dollar value of the donated food allotment.

Each year during the application renewal process, the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance’s (MDHSS-BCFNA) is responsible for asking each institution if they would rather receive cash in lieu or actual donated food (commodities). If less than one-third of the institutions choose donated food, MDHSS-BCFNA will require that all institutions receive cash-in-lieu of commodities (additional money). If more than one-third of the institutions wish to receive donated food, MDHSS-BCFNA will provide donated food or cash (cash-in-lieu off donated food) based on the institutions preference.

Reference: 8/18/1999 CACFP Memorandum

Missouri Department of Health and Senior Services
Child and Adult Care Food Program
Adult Day Care Food Program

Index

Access to the Web-Based System	4.7
Addresses, District Office	1.3
Addresses, MDHSS	1.3
Adds/Deletes, Sponsoring Organizations	6.2
Adult Day Care Center, definition	1.5
Adult Day Care Facility, definition	1.5
Adult Participant, definition	1.5
Appeal Procedures	Chapter 12
Appealable Actions	12.1
Types of Appeals	12.2
Filing an Appeal	12.3
Determination of Hearing Official	12.4
Appeal of Propose to Terminate Seriously Deficient	12.5
Applying to the Program	Chapter 3
Application Forms	3.1
Application Forms – New Applicants	3.2
Application Review Processing	3.3
Applications, Denial of	3.3
Attendance Records	5.2, 6.3, 8.3
Audits	5.5, 6.9
Authorized Representative, Changes in	4.6
Bread/Grain Menu Component	7.3
Breakfast	7.1
Cafeteria Style	7.4
Canned Food	7.8
Civil Rights	5.2, 6.3
Complaint Procedure	5.7, 6.12
Data Collection	5.6, 6.11
Claiming Criteria	5.4, 6.8
Claims for Reimbursement	
Deadlines for Submission	4.2
Claim Processing	4.3, 4.4
Claims – For Profit Centers	4.4
Commodities	13.1
Contract with MDHSS-BCFNA	3.5
Current Income, definition	1.5
Definitions	1.5
Disbursements, definition	6.3, 6.4
Drop-in Adults	2.5

Eligibility Requirements	Chapter 2
All Centers	2.4
Non-Profit Centers	2.1
For-Profit Centers	2.2, 4.5, 5.3, 6.7, 8.5
Public Non-Profit Centers	2.3
Standards of Participation	2.5
Enrolled Participant	1.5, 2.2
Enrollment Documents	5.2, 6.3, 8.3
Family, definition	1.5
Family Style	7.4
Five Day Reconciliation	6.17
Food Service Management Company, definition	1.5
Free and Reduced-Price Meals	Chapter 10
Free Meal, definition	1.5
Fruit/Vegetable Menu Component	7.3
Functionally Impaired Adult	1.5, 2.4
Home Canned/Processed Food	7.7
Household, definition	1.5
Income Eligibility Forms	5.2, 6.3, 6.5, 8.3
Income Standards, definition	1.5
Income to the Program, definition	1.5
Independent Centers	Chapter 5, 1.5, 3.1
Indirect Costs	8.2
Individual Plan of Care	2.4, 8.4
Institution, definition	1.5
Institutionalized Individual	2.5
Letter to Participant/Family/Guardian	10.6
Lunch Meal	7.1
Meal Count Records	5.2, 6.3, 6.5, 8.3
Meals, definition	1.5
Meal Pattern	Chapter 7
Components	7.3
Criteria for Claiming	5.4, 6.8
Eaten at another Location	7.7
Participant, Family or Guardian Provided	7.6
Substitutions	7.5
Meal Service Times and Duration	7.8
Means Testing	10.9
Meat Menu Component	7.3
Medicaid Participant, definition	1.5
Menus	5.2, 6.3, 8.3
Milk	1.5, 7.3, 9.8
Monitoring Review	Chapter 9
Monitoring Visits, Sponsoring Organization	6.3, 6.10
Nondiscrimination Policy Statement	6.3
Non-Pricing Program	10.1
Pricing Program	10.2

Non-Pricing Program, definition	1.5
Non-Profit Food Service	1.5, 5.2, 6.3, 9.6
Non-Residential, definition	1.5
Offer versus Serve	5.4, 7.2
Operating Costs	1.5, 8.2
Preapproval Visit	6.10
Press Release	10.3
Pricing Program, definition	1.5
Processed Foods	7.7
Procurement	Chapter 11
Production Records	5.2, 6.3, 8.3
Production Records - Food Service Contractors	5.9, 5.10, 6.14, 6.15
Program, definition	1.5
Proprietary Title XX or Title XIX Center, definition	1.5, 5.3, 6.7
Recordkeeping	Chapter 8
Reduced-Price Meal, definition	1.5
Reimbursement System	Chapter 4
Meals Rates	4.1
Processing Time-Frames	4.2, 4.3
Residential Institutions	2.5
Residential Participants	5.4
Shift Care, definition	1.5
Snack	7.1
Sponsoring Organization	Chapter 6, 1.5
SSI Participant, definition	1.5
Staff Training	5.2, 6.3
State Agency, definition	1.5
Substitutions	5.4, 6.8, 7.5
Supper Meal	7.1
Tax-Exempt Status	2.1, 3.2
Title III Funding	2.1, 5.8, 6.13, 11.9
Title XVI, definition	1.5
Title XIX For-Profit Center, definition	1.5
Title XX For-Profit Center, definition	1.5
Unitized	7.4
Vegetable/Fruit Menu Component	7.3