

Policy and Procedure Manual Emergency/Homeless Shelters



Child and Adult Care Food Program

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**Missouri Department of Health and Senior Services
Child and Adult Care Food Program
Emergency/Homeless Shelters
Policy and Procedure Manual**

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- Emergency/Homeless Shelters – Recordkeeping Essentials of the CACFP
- CACFP Food Chart – Children
- CACFP Food Chart – Infants
- Creditable Foods Guide
- Public Law 105-336 October 31, 1998
- CACFP-572 March 30, 1999
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- CACFP Memorandum March 14, 2000
- FNS-MPRO Re: CACFP-607 March 2000
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	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	1	1.1
CHAPTER Chapter 1. Introduction		SUBJECT General			

Good nutrition, the development of desirable eating habits, and learning about food choices are vital building blocks for children. Provisions must be made to ensure that these building blocks are in place in order to promote good health throughout life.

Those responsible for feeding children in emergency/homeless shelters have an important responsibility to:

- Serve nutritious and attractive meals in congregate or group settings that meet children’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 United States Department of Agriculture (USDA) program that is administrated by the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA).

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

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CHAPTER Chapter 1. Introduction		SUBJECT History – National Level			

Congress established the Child Care Food Program (CCFP) in 1968 to provide meals to children in child 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 are large numbers of working mothers.

The CCFP was expanded in 1981 to allow certain adult day care centers to participate and in 1990, the program name was changed to the Child and Adult Care Food Program (CACFP). The CACFP allows public or private, non-profit or for-profit organizations to participate in the program.

Emergency and homeless shelters became eligible to participate in the CACFP with congressional passage of the Child Nutrition Reauthorization Act of 1998 (P.L. 105-336). Effective July 1, 1999, the law recognized the unique mission and financial circumstances of emergency shelters in the program. The goal of the law is to provide year-round access to nutritious, free meals and snacks to children who reside with their families in emergency shelters under the provisions of Section 17(t)(1) of the National School Lunch Act (NSLA).

The Food and Nutrition Service (FNS) issued guidance on March 30, 1999, stating that to participate in CACFP emergency shelters must either:

- Provide temporary residence to families with children; or
- Sponsor a temporary residential site for children and their parents or guardians.

On March 14, 2000, FNS provided additional guidance clarifying that residential child care institutions (RCCIs) may also participate in the CACFP if they operate a separate program for homeless families with children. A RCCI may participate in CACFP if it serves a distinct group of homeless children who are not enrolled in the RCCI's regular program.

On January 2, 2004, a provision of the Child Nutrition and WIC Reauthorization Act of 2004 raised the age limit for residents of emergency shelters who are eligible to receive CACFP meals to children through age 18 who are homeless and seeking shelter with or without their families. Persons with disabilities, regardless of their age, also have access to CACFP meals and snacks as residents of a shelter.

Reference: Interim rule in the 1/3/2006 Federal Register

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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, forms, and establishes the policies necessary to carry out the program. The national office is also responsible for the oversight of the program and providing guidance to ensure delivery of program benefits to those children 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)
www.dhss.mo.gov/cacfp
 CACFP@dhss.mo.gov

The district office addresses are:

Northwestern District Health Office
 3717 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
 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

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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 emergency shelters;
- Timely processing of applications;
- Payments for eligible meals and other food service expenses;
- Cash-in-lieu of commodities or 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 their race, color, national origin, sex, age, disability, or genetic information.

Through the MDHSS, other assistance is available to shelters. 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:

- Special Supplemental Feeding Program for Women, Infants, and Children (WIC);
- Communicable disease control. This includes such diseases as giardia, measles, and chickenpox;
- Immunizations; (State law requires that all children receive their immunizations.);
- Dental health;

- Sanitation and environmental health;
- Assistance for children with special health care needs; and
- General health and safety.

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CHAPTER Chapter 1. Introduction		SUBJECT Definitions			

“Administrative costs” means costs incurred by an institution related to planning, organizing, and managing a food service in the Program, and allowed by the State agency financial management instruction.

“Administrative review” means the fair hearing provided upon request to an institution that has been given notice by the State agency of any 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.

“At-risk after-school program” means a program that provides educational or enrichment activities in an organized, structured, and supervised environment for school age children.

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

“Children” means (a) Persons age 12 and under; (b) Persons age 15 and under who are children of migrant workers; (c) Persons with disabilities as defined in this section; (d) For emergency shelters, persons age 18 and under; and (e) For at-risk after school care centers, persons age 18 and under at the start of the school year.

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

“Emergency shelter” means a public or private non-profit organization or its site that provides temporary shelter and food services to homeless children and their families.

“Family” means a group of related or non-related individuals, who are not residents of an institution or boarding house, but who are living as one economic unit.

“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.

“Free meal” means a meal served under the Program to a participant from a family which meets the income standards for free school meals or a child who is a Head Start participant, or to a child who is receiving temporary housing and meal services from an approved emergency shelter for which 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.

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

“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 children’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.

“Infant cereal” means any iron-fortified dry cereal specially formulated for and generally recognized as cereal for infants that is routinely mixed with breast milk or iron-fortified formula prior to consumption. Infant cereals must be fortified to the level of 45% of the Daily Value for iron as indicated by the manufacturer’s nutrition label.

“Infant formula” means any iron-fortified infant formula intended for dietary use as a source of food for normal, healthy infants served in liquid state at manufacturer’s recommended dilution.

“Institution” means a sponsoring organization, emergency shelter, child care center, outside-school-hours care center, at-risk after-school program or adult day care center which 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 of an institution designed to reasonably assure that (a) the Program achieves its intended result; (b) Program resources are used in a manner that protects against fraud, abuse, and mismanagement 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 that is served as breakfast, lunch, supper or snacks to participants at an institution, which meets the nutritional requirements of the Program.

“Milk” means pasteurized fluid types of unflavored or flavored whole milk, low fat milk, skim milk, or cultured buttermilk, which 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 be consistent with state and local standards for such milk.

“National disqualified list” means the list of institutions, responsible principals and responsible individuals and day care homes disqualified from participation in the Program.

“Non-profit food service” means all food service operations conducted by the institution principally for the benefit of participating children, from which all of the Program reimbursement funds are used solely for the 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, by facsimile, or by email, that describes an action proposed or taken by a State agency or sponsoring organization with regard to an institution’s Program reimbursement or participation. 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, FNS 796-2 Rev 3.

“Principal” means any individual who holds a management position within, or is an officer of, an institution or a 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.

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

“Resident roster” means a master listing to include each child’s name, age, date they entered the shelter, date they left the shelter, and the signature of the director to verify the information.

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

“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.

“Sign-in sheet or roster” means documentation that verifies the total number of children in attendance in the emergency/homeless shelter. (The sign-in sheet or roster is not intended to be used to identify which individual children receive meals and snacks; rather, it is intended to establish the maximum number of meals and snacks that can be claimed on a given day.)

“Sponsoring organization” means a public or non-profit private organization that is entirely responsible for the administration of the food program in (a) one or more day care homes (b) a child care center, emergency shelter, at risk after school care center, outside-school-hours care center, or adult day care center or (c) two or more child care centers, emergency shelters, outside-school-hours care centers, at-risk after-school care centers or adult day care centers, or (d) any combination of child care centers, emergency shelters, outside-school-hours care centers, at-risk after-school care centers, adult day care centers and day care homes. The term “sponsoring organization” also includes a for-profit organization that is entirely responsible for administration of the Program in any combination of two or more child care centers, outside-school-hours care centers, and at-risk after-school care centers or adult day care centers which are part of the same legal entity as the sponsoring organization, and which are for-profit Title XX centers.

“State agency” means the State agency that has been designated by the Governor or the 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 the 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 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.

“Termination for cause” means the termination of a day care home’s Program contract by the sponsoring organization due to the day care home’s violation of the contract.

“Termination for convenience” means termination of a day care home’s Program contract by either the sponsoring organization or the day care home, due to considerations unrelated to either party’s performance of Program responsibilities under the agreement.

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

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CHAPTER Chapter 1. Introduction		SUBJECT Acronyms			

BCFNA – Bureau of Community Food and Nutrition Assistance

CACFP – Child and Adult Care Food Program

CN – Child Nutrition

FNS – Food and Nutrition Service

FSD – Family Support Division, Department of Social Services

MDHSS – Missouri Department of Health and Senior Services

MPRO – Mountain Plains Regional Office

MOU – Memorandum of Understanding

RCCI – Residential Child Care Institution

SA – State Agency (MDHSS-BCFNA)

SCCR – Section for Child Care Regulation

SD – Serious Deficiency or Seriously Deficient

SO – Sponsoring Organization

USDA – United States Department of Agriculture

WIC – Women, Infants and Children

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CHAPTER Chapter 2. Eligibility Requirements		SUBJECT Public or Private Non-Profit Organizations			

An emergency shelter is a public or private non-profit organization whose primary purpose is to provide temporary shelter and food services to homeless children with or without their families. These facilities would include institutions meeting the description of family shelters, shelters for domestic abuse, and other facilities whose primary purpose is to provide temporary shelter and food services to homeless children with or without their families. Emergency shelters, such as runaway shelters, that serve only children, unaccompanied by adults, are eligible to participate in the Child and Adult Care Food Program (CACFP) provided the runaway shelter meets the definition for an emergency shelter. A residential child care institution (RCCI) may participate in the CACFP as an emergency shelter only if it serves a distinct group of homeless children who are not enrolled in the RCCI's regular program.

Public or Private Non-Profit Shelters must:

- Be tax exempt under the Internal Revenue Service (IRS) Code of 1986.
- Provide temporary residential accommodations of shelter and food services.
- Must maintain the appropriate inspection or permit documentation to certify that all state and local health and safety standards and requirements are met.

Emergency shelters do not have to meet child care licensing standards in Missouri in order to participate. Emergency shelters must have the appropriate State or local inspection or permit documentation to certify that minimum health and safety standards are met. The tax-exempt status must be verified by submitting the 501(c)(3) determination letter from the 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.**

Current law and regulations limit participation in the CACFP to shelters providing residential care when an emergency temporary residential situation occurs.

Reference: Interim Rule – 1/3/2006 Federal Register

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CHAPTER Chapter 3. Applying to the Program		SUBJECT 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 facility (public or private non-profit organization, or a sponsoring organization) applying to the Program. An independent organization enters into a contract with MDHSS-BCFNA to assume final administrative and financial responsibility for Program operations. A sponsoring organization is entirely responsible for the administration of the food program in two or more emergency shelters.

The CACFP program and application information is located on the CACFP website at www.dhss.mo.gov/cacfp. Print the application packet and instructions for Emergency/Homeless Shelters. Complete the forms, sign, date, and submit the following information according to the instructions either via U.S. Postal Service or on-line as instructed:

First Time Applicants

- Application, 3 pages (CACFP-2)
- Statement of Affiliation form (CACFP-208)*
- Budget (CACFP-209)
- Vendor Input Form (MO 300-1489N)
- Menu Forms (CACFP-210) Submit two (2) weeks of menus for each meal served*
- Vendor ACH/EFT Application (MO-300-1608E)*
- Network User Access Request form (MO 580-1854E)*
- Copy of IRS letter 501(c)(3) for tax exemption status*
- Board of Directors Listing

Sponsoring Organizations of Shelters must complete and submit:

- Application for Participation and Management Plan for Sponsoring Organizations (Form # 1)
- Application for Facility in the CACFP for each shelter under the sponsoring organization's jurisdiction (Form # 2)
- Program Services Contract (for renewal only)
- Vendor ACH/EFT Application (MO-300-1608E)*
- Two weeks of menus for each shelter for all meals or snacks claimed*
- Federal IRS tax exempt letter for the sponsoring organization and for each non-profit shelter under the sponsor's jurisdiction, unless the shelters are under the sponsoring organization's corporate umbrella.
- Network User Access Form (MP-5801854-E)*
- Vendor Input Form (MO-300-1489N)*

*Submit only if first time applying to the CACFP.

Reference: 7CFR226.6(b)

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CHAPTER Chapter 3. Applying to the Program		SUBJECT Application Forms-New Applicants			

Application for Participation and Management Plan for Sponsoring Organizations of Shelters or Programs in the CACFP (CACFP 1)

Form shall be completed by all sponsoring organizations of shelters or programs. The form must be accurately and fully completed.

Application for Participation for Facility in the CACFP (CACFP 2)

Form shall be completed for each shelter applying for participation to the CACFP.

Budget for Independent Shelter or Facility in the CACFP

Form shall be completed for the shelter applying for participation to the CACFP.

Vendor Application Form (SAM II)

The institution shall complete this form only if this is the first application made to MDHSS-BCFNA or the institution does not already have a Missouri State vendor number. Each institution must have a Missouri State vendor number in order to receive payment from MDHSS.

Bank/Financial Institution Direct Deposit Form

The institution shall complete this form if this is the first application made to MDHSS-BCFNA, or whenever deposit information is changed.

Two Weeks of Menus

If applying for the first time or if a sponsor is adding a meal type to an already approved contract, submit two weeks of menus for each meal type claimed. If breakfast, lunch, supper and a snack are claimed, the institution must submit two weeks of menus for breakfast, lunch, supper and snack. The menus should be in compliance with the CACFP menu requirements. See Chapter 7 for meal pattern requirements. A sponsoring organization must submit menus for each shelter under their sponsorship if different meals are provided at each facility.

Tax Exemption Letter for Non-Profit Centers

Submit the Federal IRS determination letter for each non-profit shelter applying. See Section 2.1 for further details. A state IRS exemption letter will not be adequate. A sponsoring organization must submit a Federal IRS tax-exempt letter for each non-profit shelter under their sponsorship. The Federal IRS determination letter should be submitted only for new shelters.

Board of Directors

Submit a listing of the shelter Board of Directors for the first application and whenever a change occurs.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	3	3.3
CHAPTER Chapter 3. Applying to the Program		SUBJECT Review Process of Applications			

A shelter or sponsoring organization of a shelter that is first applying to participate in the Child and Adult Care Food Program (CACFP) 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.dhss.mo.gov/cacfp.

MDHSS-BCFNA will notify the shelter within 30 calendar days of any missing information needed to approve the application. When the shelter application is complete and meets all requirements, the shelter application is approved and a program services contract is issued. The contract will be dated for the day that the application is approved by the Division of Administration. This date is considered the first day the shelter is eligible to claim meals in the CACFP.

If the shelter’s application is denied, the facility will be given an opportunity to file an appeal.

Applications may be denied 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.

Participating shelters or sponsoring organizations are required to complete the application renewal process on an annual basis. As a Contracted Organization under the CACFP, facilities will complete the CACFP web-based application (Center Information Sheet(s) and Sponsor Information Sheet) on the website at: <https://dhssweb04.dhss.mo.gov/cnp>. Selected organizations will complete an online budget as part of the renewal process. All Sponsoring Organizations of multiple facilities can complete the web-based Management Plan and Budget. If an organization is unable to access the internet, alternate arrangements can be made by contacting MDHSS-BCFNA.

Contracts are mailed with the renewal application information and dated for October 1 of the upcoming Federal Fiscal Year. The application renewal process must be completed on or before the end of September

each year to assure uninterrupted participation in the CACFP. The original signed contract must be returned to MDHSS-BCFNA through the U. S. Postal Service or via fax with the E-Verify Memorandum of Understanding (MOU) and Affidavit.

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

A renewal application for participation in CACFP may be denied for currently participating shelters or sponsors 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
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	3	3.4
CHAPTER Chapter 3. Applying to the Program		SUBJECT Updating Application Information			

The shelter 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:

- **Changes in meals claimed or meal service times** – the shelter must notify MDHSS-BCFNA of any changes in meals claimed or meal service times. If a shelter 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.
- **Change in ownership** – The shelter must inform MDHSS-BCFNA in writing of a change in ownership status of the institution. In order to prevent an assessment of an overclaim 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.
- **Tax-exempt status** – The shelter must notify MDHSS-BCFNA immediately if tax-exempt status is revoked. A revocation of tax-exempt status would result in ineligibility for the Program.
- **Change in capacity** – The shelter must notify MDHSS-BCFNA when the capacity for children in the shelter is increased or decreased during the Program year.
- **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.” 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 shelter must inform MDHSS-BCFNA of all changes in the address. The location of the shelter’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 shelter 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 repayment.

*Changes can be updated electronically on the CACFP 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
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	3	3.5
CHAPTER Chapter 3. Applying to the Program		SUBJECT Contract			

The 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. All CACFP institutions must sign a contract on an annual basis and submit it to MDHSS-BCFNA with the E-Verify MOU and the Affidavit, before any reimbursement can be paid.

For renewals only, the contract with the Scope of Work and Terms and Conditions are sent with the institution’s application information. The contract should be signed by the institution’s Board of Directors or authorized representative and returned to MDHSS-BCFNA as soon as possible. The shelter should keep the Scope of Work and Terms and Conditions. Once the applicant and the MDHSS representative sign the contract, the original contract will be sent to the shelter.

The contract is effective for a period of one year or less depending on application approval date. At the end of September of each fiscal year, the institution’s Board of Directors and MDHSS-BCFNA must sign a renewal contract.

The current contract is one of the records that must be available to the MDHSS-BCFNA Nutritionist within one hour of arrival for a monitoring review. The contract should be retained in your files with all Program records for a period of at least three years or longer if audit findings are not resolved from a previous review.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL			6/1/02	8/16	4	4.1
CHAPTER Chapter 4. The Reimbursement System				SUBJECT Reimbursement Rates			

Emergency/homeless shelters will be reimbursed at the following “free” meal rates. These rates are effective July 1, 2016 through June 30, 2017.

<u>Breakfast</u>	<u>Lunch/Supper</u>	<u>Snack</u>
\$1.71	\$3.39	\$0.86

The rate for lunch and supper includes 23.00 cents added to the lunch and supper free meal rate for cash-in-lieu of commodities.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	4	4.2
CHAPTER Chapter 4. The Reimbursement System		SUBJECT Deadlines for Claim Submission			

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

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, milk purchase receipts). Claims in Error status or Pending Submission status may be modified, and have not been certified 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. The 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.

The MDHSS-BCFNA processes claims twice a month (see the 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. If the deadline falls on a weekend or holiday, the due date will be the prior business day.

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

The CACFP claims are direct deposited. If you do not receive your payment 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 fiscal 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 records pertaining to the Program shall be made available upon request to representatives of MDHSS-BCFNA, MDHSS-Auditor, the United States Department of Agriculture, and the United States General Accounting Office for audit or review, at the business address on file and during normal business hours. 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 could result in disallowance of all meals claimed. **All records must be maintained on-site at the institution (for shelters with a single site), or at the address designated in the Sponsoring Organization of Shelters' management plan.**

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	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 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

** If the deadline falls on a weekend, the due date will be the Friday before.*

Please be advised that the 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-based system. Any errors on the claim will cause the claim to be rejected by the system. The web-based system 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 accept 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 should be submitted via the Internet by accessing the CACFP website 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 for payment.

Listed below are error messages common to the online claim process:

- The claim month is not completed or completed incorrectly.
- The meal count data is not completed or is completed incorrectly. The meal count must be a cumulative total of children recorded by meal and compared to the resident roster for every day of the claim month.
- The shelter claims meals in excess of the number of children on the resident roster.
- The shelter claims unauthorized meals. A shelter can claim only those meals for which it is approved. If a shelter adds a meal to its service, it must notify MDHSS-BCFNA immediately and submit a two week menu pending MDHSS-BCFNA approval before the additional meal can be claimed.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM		ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL		6/1/02	4/09	4	4.4
CHAPTER Chapter 4. The Reimbursement System			SUBJECT Participation Controls			

The Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) will not reimburse a shelter for meals served in excess of their actual number of approved shelter resident children in attendance during meals. Only one meal per child can be claimed at each meal. Seconds are not reimbursable as a separate meal.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	4	4.5
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 shelter is the person who electronically authorizes the monthly claim for reimbursement.

Failure to notify MDHSS-BCFNA will cause a delay or denial of payment of the CACFP claim for reimbursement.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	4	4.6
CHAPTER Chapter 4. The Reimbursement System		SUBJECT Mandatory Training Requirement			

New shelters will receive orientation training from a District 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 shelter. Program approval will not be granted until the shelter has received orientation training and verification is on file in the BCFNA Central Office.

Mandatory training may also be necessary if noted as a “required action” 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. The office locations are listed below. Shelters are responsible for scheduling their own appointment to attend a training session. View the “Training” information by topic and location via the Internet at: <http://dhss.mo.gov/cacfp>. Contact the CACFP office at 800-733-6251 to enroll in special training classes. Reservations are required due to space limitations.

Locations for Special Training Sessions

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

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

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

Cape Girardeau Area Health Office
 710 Southern Expressway, Suite B
 Cape Girardeau, MO 63703

Missouri Department of Health and Senior Services
 920 Wildwood
 Jefferson City, MO 65109

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/2006	4/09	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. 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 CACFP authorized representative named on the CACFP Application must sign the Network User Access Request Form; or
- 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 web access for an independent shelter is limited to two people.
- An individual's access will be deleted if the user does not log in to the system for a six-month period.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	5	5.1
CHAPTER Chapter 5. Requirements of Management		SUBJECT Application Renewal Information			

Shelters must submit an application renewal each fiscal year. The fiscal year and the contract run from October 1 – September 30. See Chapter 3, [Applying to the Program](#), for details on the application process. As a contracted organization under the CACFP, shelters will complete the web-based application as part of the renewal process via the Internet at: <https://dhssweb04.dhss.mo.gov/cnp>. The renewal contract signed by an authorized representative, the E-Verify MOU and the Affidavit must be returned by regular mail or fax. Shelters unable to access the internet must make alternate arrangements with MDHSS-BCFNA for application renewal.

It is vital that the shelter keep MDHSS-BCFNA updated on any changes regarding any information that could affect the meals claimed or the shelter’s participation in the CACFP. The following information should be updated on an as needed basis: (See 3.2 for details)

- Change in IRS tax exempt status
- Change in meals claimed or meal service times
- Change in personnel or capacity
- Change in ownership
- Change in authorized representative or authorized “user”
- Change in address*
- Institution closure

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

XYZ shelter has a capacity of 50 on October 1, 2008. On January 20, 2009, XYZ’s capacity increased to 75. If this information is not updated in the web-based system, the January claim for reimbursement will be rejected because the system will show XYZ is claiming meals in excess of the approved capacity.

*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
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL		6/1/02	4/09	5	5.2
CHAPTER Chapter 5. Requirements of Management			SUBJECT Required Recordkeeping			

Shelters are required to maintain records to support the monthly claim for reimbursement and comply with Program regulations. All records 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 for as long as may be required for the resolution of the issues raised by the audit. All records must be maintained at the shelter and must be available for audit at all times.

Shelters shall maintain the following records:

Copies of all menus. Menus must be dated and indicate all components served. Each facility must verify that the menu served to the children meets the minimum meal pattern requirements. Food purchase and donation receipts and invoices will be reviewed to ensure adequate food and milk purchases and donations are made and support the menu.

Resident Rosters. All children claimed for reimbursement must be residents of the shelter. Shelters must maintain a master listing of residents*, date they entered the shelter, date they left the shelter, and the signature of the director to verify the information. It is recommended that a new roster be completed each month.

Meals served in a congregate setting (group setting) to children who reside in a shelter may be claimed for reimbursement. The shelter may serve meals to children not in shelter residence and/or program or non-program adults, however, these meals are not reimbursable under the Program. The shelter will have to differentiate between children residing in the shelter and those who may be served meals as “walk-ins.”

Children 18 years of age and younger are eligible to participate in the CACFP. Individuals with disabilities, regardless of age, may also receive meals and snacks at the shelters where they reside.

Meals that are consumed in private family quarters in a shelter are not reimbursable. Only meals served in congregate meal settings are eligible for reimbursement. An exception may be made for infants 0 through 11 months of age served in private family quarters that are part of a shelter. Those meals may be reimbursable if the shelter provides all of the required meal components to the parents or guardians, and maintains records documenting that sufficient food has been provided to meet the minimum meal pattern requirements for infants.

Meal Count Records. Daily meal count records must be maintained for each qualified participant who resides in the shelter. The resident rosters should support the meal count records. For example, if John Doe was claimed for a meal on May 17, the resident rosters should indicate that John Doe was present on May 17 for that meal to be accurately claimed. The meal count record must indicate the daily number of meals served by type of meal (breakfast, lunch, supper, or snack). Shelter personnel must maintain a point of service meal count, which means that each meal is recorded on the meal count record as the meal is served

to each participant. A maximum of three meals OR two meals and one snack may be claimed per participant per day, seven days a week.

Copies of recent fire safety inspection and sanitation inspection. Frequency of inspections may depend on local codes and regulations.

Non-Profit Food Service Verification. The shelter must have documentation to verify that all of the CACFP reimbursement is being used solely to conduct or improve the 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 shelter funds used to subsidize the food service program, and 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 purchase receipts or invoices, labor costs supported by payroll stubs and/or 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.

Civil Rights racial/ethnic data. All shelters must:

- a. Display the “And Justice For All” poster in a location visible to the public;
- b. Provide the nondiscrimination statement and procedure for filing a complaint in all shelter brochures that discuss the food program;
- c. Collect actual beneficiary data by racial/ethnic category;
- d. Provide informational materials in the appropriate translation regarding the CACFP; and
- e. Display a “Building for the Future” poster in a location visible to the public.

See Sections 5.5 and 5.6 for more information on Civil Rights.

Documentation of training to staff. Staff must be trained at least annually with regard to the CACFP. Documentation must include:

- a. Session dates
- b. Locations
- c. Topics
- d. Names of participants

Miscellaneous documentation. The following miscellaneous documentation must be retained:

- a. Documents submitted to the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) and

b. The Program contract (Scope of Work, Terms and Conditions as part of the contract)

* Per the Stewart B. McKinney Homeless Assistance Act, any victim service provider may not disclose “personally identifying information” or “personal information” about an individual including: a first and last name; a home or other physical address; contact information; a social security number; any other information, including date of birth, racial or ethnic background, or religious affiliation, that, in combination with any other non-personally identifying information, would serve to identify any individual.

See Chapter 8 for more information on recordkeeping and the booklet entitled – Recordkeeping Requirements for Emergency/Homeless Shelters for sample forms and instructions.

Reference: 7CFR226.15(e)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	5	5.3
CHAPTER Chapter 5. Requirements of Management		SUBJECT Criteria for Claiming Meals			

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

- Copies of all daily dated menus must indicate all food components served to the children for each meal claimed. A child 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 child 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: www.dhss.mo.gov/CACFP/AppsForms.
- Children from age 12 through 18 years of age can receive the portions stipulated for children ages 6-12, however, larger portions should be served to this age group of children based on their increase need.
- All required meal components are served to infants from birth through 11 months of age.
- A maximum of three meals or two meals and one snack may be claimed per infant or child per day while a resident of the shelter.
- Meals/snacks must be eaten while at the shelter and cannot be claimed for reimbursement if taken away from the shelter.
- Meals must be served in a congregate setting with the exception of infants may be feed in private quarters.
- Creditable foods must be served. Refer to the Creditable Foods Guide for details on foods that can be used to meet the menu components for infants and children.
- Documentation (CN label) is available to verify that processed meat products contain adequate amounts of meat/meat alternate to be creditable in the CACFP.
- Meals are served at the times and for the duration indicated on the shelters on-line application under the Center Information Sheet.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	5	5.4
CHAPTER Chapter 5. Requirements of Management		SUBJECT Audits			

Non-profit institutions receiving more than \$500,000 in Federal Financial Assistance per year must be audited every year except for certain non-federal entities that obtain biennial (2 year) audits. It is the shelter's responsibility to have the audit completed. A copy of the audit shall be submitted to the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA).

For-profit institutions receiving more than \$100,000 in Child Nutrition Program funds per year will be audited by MDHSS at least once every two years.

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

The 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 MDHSS-BCFNA.

Specific questions regarding CACFP audits, limited scope audits, and fiscal reviews may be directed to the MDHSS' chief internal auditor at:

Missouri Department of Health and Senior Services
 Chief Internal 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
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	5	5.5
CHAPTER Chapter 5. Requirements of Management		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 category.

As part of the application process, the institution 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 the emergency shelter. Visual identification may be used to determine a beneficiary's racial/ethnic category or the parents of a beneficiary may be asked to identify the racial/ethnic group of their child. Parents may be asked to identify the racial/ethnic group of their child 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 grassroot organizations about the opportunity to participate.
- Any other Federal agencies providing financial support to the applicant.

Throughout the Program year, the shelter must:

- Display the "And Justice For All" poster in a location visible to the public.
- 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 Program information available to the public upon request.
- Provide the nondiscrimination statement and procedure for filing a complaint in all information concerning the Program or Program activities directed to parents of beneficiaries and potential beneficiaries.

Ref: Civil Rights Instruction 113-1 (November 8, 2005)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL			
	ISSUED	REVISED	CHAPTER	SECTION
	6/1/02	4/09	5	5.6
CHAPTER Chapter 5. Requirements of Management		SUBJECT Civil Rights Complaint Procedure		

Any person alleging discrimination based on race, color, national origin, sex, age, or disability has a right to file a complaint within 180 days of the alleged discriminatory action. Under special circumstances, the time limit may be extended by the Office of Minority Affairs.

All Civil Rights complaints, written or oral, shall be accepted and forwarded to the Civil Rights Division through the Mountain Plains Regional Office or the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA). The complaint should contain the following information:

- Name, address, and telephone number or other means of contacting the complainant;
- The specific location and name of the entity delivering the service or benefit;
- The nature of the incident or action that led the complainant to feel discrimination was a factor or an example of the method of administration which is having a disparate effect on the public, potential participants, or participants;
- The basis on which the complainant feels discrimination exists;
- The names, titles, and business addresses of persons who may have knowledge of the discriminatory action; and
- The date during which the alleged discriminatory actions occurred, or if continuing, the duration of such actions.

The complaint will be reviewed and acted upon by the U.S.D.A. Mountain Plains Regional Office.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	3/05	4/09	5	5.7
CHAPTER Chapter 5. Requirements of Management		SUBJECT Claiming Infants			

Shelters participating in CACFP must offer Program meals to children in residence at the shelter. Infants under 12 months old must have access to CACFP meals. CACFP meal pattern requirements are defined on the *Infant Food Chart*. The *Infant Food Chart* should be given to parents of an infant when they complete the resident roster. When an infant is a shelter resident, the shelter must offer an infant meal that meets Program requirements. Failure to offer the required infant meals will result in the shelter's ineligibility for the Program.

Infants must be recorded on the resident roster, meal count records, and claim forms the same as other participating children. Reimbursement rates for infants are the same as for older children. Infant meals claimed may not exceed three meals or two meals and one snack per day, regardless of the number of times the infant is fed.

For children, older than twelve months of age, meals that are consumed in private family quarters in a shelter are not reimbursable. Only meals served to children in congregate meal settings are eligible for reimbursement for participants one year and to 18 years of age.

An exception is made for infants, birth through 11 months of age, served in private family quarters that are part of a shelter. Those meals may be reimbursable if the shelter provides all of the required infant meal components to the parents or guardians, and records are maintained documenting that sufficient food has been provided to meet the minimum meal requirements for infants.

Infant meals can be claimed in these situations:

- Parents provide expressed breastmilk and the shelter provides all other required meal components as appropriate for age according to the *Infant Food Chart*. Meals containing only breastmilk may be claimed for infants from birth through seven months of age, only if served in a bottle by shelter staff.
- Parents accept the CACFP approved infant formula provided by the shelter and the shelter provides all other required food components as appropriate for age according to the *Infant Food Chart* provided the infant is developmentally ready.
- Parents provide a CACFP approved infant formula and the shelter provides all other required meal components as appropriate for age according to the *Infant Food Chart*. Infant meals may be claimed for infants' birth through seven months of age if the parent declines the formula offered by the shelter and provides a CACFP approved formula and the shelter feeds the infant the formula. When the child is developmentally ready to eat solid foods, as determined by the parent, the shelter must provide the other required meal components.
- When a shelter provides a parent/guardian a Women's Infants & Children (WIC) food voucher* for food package pick up at a grocery store. If the parent **shares** the food (formula, infant cereal and juice) with parents of other shelter infants (puts into a communal "pot") then the shelter can claim the infant meals.
- Mothers who breastfeed their infants in the shelter and the shelter provides all other meal components.

Infant meals **cannot** be claimed in these situations:

- Mother breast feeds her infant in the shelter and no other food components are served. While this feeding practice is desirable, the meal cannot be claimed for CACFP reimbursement because the shelter is not providing the service of feeding the infant.

- Parents do not accept the foods offered by the shelter. They bring food from an outside source for their infant.
- Whole milk is served in place of breastmilk or infant formula without medical documentation.
- When the parent/guardian picks up a WIC food voucher* package from the grocery store and does not share with parents of other shelter infant residents but store in their private living quarters.

See Section 7.2 for more information on infant feeding.

***WIC Food Voucher**

Effective October 1, 2008 through September 30, 2009, WIC voucher provides the following food (subject to change depending on availability) on a monthly basis:

- Birth through three months – 9, 12.9 oz. cans of Enfamil LIPIL with Iron powdered formula that yields 806 fluid ounces when reconstituted
- Four to five months – 9, 12.9 oz. cans of formula plus 1, 8 oz. box of iron fortified dry infant cereal
- Five to six months – 9, 12.9 oz. cans of formula plus 2, 8 oz. boxes of infant cereal
- Six through 11 months – 9, 12.0 oz. cans of formula, 2 boxes of infant cereal plus 2, 32 oz. bottles of juice

Reference: 7CFR226.20(b)

FNS-258 Feeding Infants-A Guide for Use in the Child Nutrition Programs

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	6	6.1
CHAPTER Chapter 6. Requirements of Management		SUBJECT Application			

A Sponsoring Organization (SO) in this chapter is one that has multiple facilities. The sponsoring organization 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, shelters, or centers under the sponsoring organization’s jurisdiction.

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

- **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.
- **Change in ownership** – The sponsor must inform MDHSS-BCFNA in writing of a change in ownership status of the institution. In order to prevent an assessment of an overclaim 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.
- **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 shelter 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.” 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 shelter’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>.
04-09 Shelter 6.1

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	6	6.2
CHAPTER Chapter 6. Requirements of Management		SUBJECT Number of Shelters: Add or Delete			

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

- Application for participation in the CACFP (form CACFP-2);
- Two weeks menus for all meals and snacks claimed for reimbursement (form CACFP 218 & 218BB); and
- Tax exempt letter.

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 deletion 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
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL		6/1/02	4/09	6	6.3
CHAPTER Chapter 6. Requirements of Management			SUBJECT 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 available for audit within one hour of the BCFNA reviewer’s arrival. All records 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 records in a **central location** identified in the management plan:

Copies of all menus. Menus must be dated and indicate all components served. Each facility must verify that the menu served to the children meets at least the minimum meal pattern requirement. Food purchase receipts and invoices will be reviewed to ensure adequate food and milk purchases are made and that the receipts support the menu.

Resident Rosters. All children claimed for reimbursement must be residents of the shelter. Shelters must maintain a master listing of residents*, age, date they entered the shelter, date they left the shelter, and the signature of the director to verify the information. It is recommended that a new roster be completed each month.

Meals served in congregate settings (group settings) to children who are residing in a shelter may be claimed for reimbursement. Although the shelter may serve meals to children who do not reside there and/or program or non-program adults, these meals are not reimbursable under the Program. The shelter will have to differentiate between children residing in the shelter and those who may be served meals as “walk-ins.”

Children 18 years of age and younger are eligible to participate in the CACFP. Individuals with disabilities, regardless of age, may also receive free meals and snacks at the shelters where they reside.

Meals that are consumed in private family quarters in a shelter are not reimbursable. Only meals served in congregate meal settings are eligible for reimbursement. An exception may be made for infants 0 through 11 months of age served in private family quarters that are part of a shelter. Those meals may be reimbursable if the shelter provides all of the required meal components to the parents or guardians, and maintains records documenting that sufficient food was provided to meet the minimum meal pattern requirements for infants.

Meal Count Records. Daily meal count records must be maintained for each qualified participant who resides in the shelter. The Resident Rosters should support the meal count records. For example, if John Doe was claimed for a meal on May 17, the meal count record should indicate that John Doe was present on May 17. The Resident Roster should also indicate he was a resident on that date. The meal count record

must indicate the daily number of meals served by type of meal (breakfast, lunch, supper, or snack). Shelter personnel must maintain a point of service meal count, which means that each meal is recorded on the meal count record as the meal is served to each participant. A maximum of three meals OR two meals and one snack may be claimed per day per participant in attendance seven days a week.

Copies of most recent fire safety inspection and sanitation inspection.

Non-Profit Food Service Verification. The shelter must have documentation to verify that all of the CACFP reimbursement is being used solely for conducting or improving 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 shelter funds used to subsidize the food service program, and 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 purchase receipts or invoices lists of donated food items, labor costs supported by payroll stubs or 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.

Civil Rights racial/ethnic data. All shelters must:

- a. Display an “And Justice For All” poster in a location visible to the public;
- b. Provide the nondiscrimination statement and procedure for filing a complaint in all shelter brochures;
- c. Collect actual beneficiary data by racial/ethnic category;
- d. Provide informational materials in the appropriate translation regarding the CACFP; and
- e. Display a “Building for the Future” poster in a location visible to the public.

See Sections 5.5 and 5.6 for more information on Civil Rights.

Documentation of training. Staff must receive training at least annually with regard to the CACFP. Documentation must include:

- a. Session dates
- b. Locations
- c. Topics
- d. Names of participants

A minimum training must include instruction appropriate to the level of staff experience and duties. The training must include Program’s meal pattern, meal counts, claims submission and review procedures, recordkeeping requirements and the reimbursement system.

Documentation of Monitoring. Shelters under the sponsoring organization’s jurisdiction must be monitored by the Sponsoring Organization for Program compliance at least three times annually. At least two of the monitoring visits must be unannounced and at least two must include a complete meal service. Date of the review, 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.

Documentation of the dates and amounts of disbursement to each shelter. Disbursements of reimbursement to shelters shall be made within five working days from acknowledgement of claim deposit from the Missouri Department of Health and Senior Services – Community Food and Nutrition Assistance (MDHSS-CFNA) to shelters under the sponsoring organization’s jurisdiction if the shelter(s) is not under the same legal entity as the sponsoring organization. Separate disbursement need not be provided to shelters that are part of the same legal entity as the sponsor.

Miscellaneous documentation. The following miscellaneous documentation must be retained:

- a. Documents submitted to the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance; and
- b. The program services contract.

See Chapter 8 for more information on recordkeeping and the booklet entitled *Recordkeeping* for the Emergency/Homeless Shelters for sample forms and instructions.

***Per the Stewart B. McKinney Homeless Assistance Act, a victim service provider may not disclose “personally identifying information” or “personal information” about an individual including: a first and last name; a home or other physical address; contact information; a social security number; any other information, including date of birth, racial or ethnic background, or religious affiliation, that, in combination with any other non-personally identifying information would serve to identify any individual.**

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM		ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/SHELTER POLICY & PROCEDURE MANUAL		5/02	4/09	6	6.4
CHAPTER Chapter 6. Requirements of Management			SUBJECT Disbursements			

Sponsoring organizations shall make payments to emergency shelters under their jurisdiction within five working days of receipt from the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) if the shelter(s) are not part of the same legal entity as the Sponsoring Organization. Reimbursement to shelters may not exceed the applicable free meal rate times the number of meals documented at each facility.

Sponsoring organizations of emergency shelters may charge the institution a fee for administrative services. The fee charged shall be based on the **actual expenses** of the sponsor for services provided to the institution. The fee should be a straight charge to the institution 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 shelter to support the administrative fee charged by the sponsoring organization.

The 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. The MDHSS-BCFNA will monitor the fee charged and the costs for each institution under sponsorship. Under no circumstances may the fee charged to the shelter 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
	EMERGENCY/SHELTER POLICY & PROCEDURE MANUAL		5/02	4/09	6	6.5
CHAPTER Chapter 6. Requirements of Management			SUBJECT Application Information			

Emergency Shelters not under the same corporate umbrella or part of the same legal entity as the sponsoring organization shall abide by the terms and conditions set forth in the contract between the sponsoring organization and the shelter. It will be necessary for the sponsored shelter to abide by the minimum requirements established for the CACFP outlined in this section.

At the time of application renewal, the 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 institution (See Chapter 2, Section 2.1).
- b. Current copy of Fire and Safety Inspection issued by local authorities.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTER POLICY & PROCEDURE MANUAL	3/91	4/09	6	6.6
CHAPTER Chapter 6. Requirements of Management		SUBJECT Criteria for Claiming Meals			

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

- Creditable foods must be served. Refer to the [Creditable Foods Guide](#) for details on foods that can be used to meet the menu components.
- Meals are served in a congregate setting.
- Meals/snacks must be eaten while at the facility in the congregate meal setting; meals cannot be claimed for reimbursement if taken out of the shelter.
- A maximum of three meals or two meals and one snack may be claimed per day per infant or child when in residence.
- Copies of all menus must be dated and indicate all food components served to the child for the meals claimed. All required meal components and required portion sizes are served to the child for the meal claimed. A child must receive all components for a meal to be claimed except in those cases where a physician's statement is on file verifying that a child cannot have a particular food for medical reasons. The medical statement must also list foods that can be substituted for the component or food item. See Chapter 7 for details on the meal pattern.
- Children from age 12-18 should receive at least the portions stipulated for children 6-12; however, larger portions should be served to all children based on their increased caloric needs.
- All required meal components are served to infants from birth through 11 months of age. Shelters may include infants on the meal count records.
- Claims for reimbursement can only be made when the resident roster and the meal count records support each other for every participant at every meal.
- Documentation (CN label) to verify that processed meat products contain adequate amounts of meat/meat alternate to be creditable in the CACFP.
- Meals are served at the times and for the duration approved on the shelter application in the CACFP web-based system on the Center Information Sheet.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTER POLICY & PROCEDURE MANUAL	5/02	4/09	6	6.7
CHAPTER Chapter 6. Requirements of Management		SUBJECT Audits			

Non-profit institutions receiving more than \$500,000 in Federal Financial Assistance per year must be audited every year except for certain non-federal entities that obtain biennial (2 year) audits. It is the institution's responsibility to have the audit completed. A copy of the audit shall be submitted to the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA).

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

The MDHSS-BCFNA may contract with auditors to conduct fiscal reviews of 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 MDHSS. When auditors are requested to conduct fiscal reviews by MDHSS, it is not based on the sponsor's past performance.

Specific questions regarding CACFP audits, limited scope audits, and fiscal reviews may be directed to the MDHSS' chief internal auditor at:

Missouri Department of Health and Senior Services
 Chief Internal 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
	EMERGENCY/HOMELESS SHELTER POLICY & PROCEDURE MANUAL	5/02	4/09	6	6.8
CHAPTER Chapter 6. Requirements of Management		SUBJECT Program Assistance			

Sponsoring organizations accept responsibility for the CACFP management of each facility under their jurisdiction. It is, therefore, required that sponsoring organizations train the institutions on CACFP requirements and monitor each shelter/center to assure that all requirements are met. All training and monitoring must be documented. Monitoring documentation must show review date, comments and findings. Training documentation must show date, topic(s) covered and signature of attendees.

The sponsoring organization shall conduct a preapproval visit for each new shelter for which an application is made. The purpose of this visit is to inform the new shelter about program requirements and benefits of the program. The sponsoring organization must review the sponsoring organization agreement to include the rights and responsibilities of the shelter and the rights and responsibilities of the sponsoring organization. A sample agreement form is available upon request to Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance. See Section 6.11 for more information on the agreement between sponsoring organizations and the institutions. The sponsoring organization reviews the potential applicant’s food operation to determine if the requirements of the CACFP exceed the capability of the shelter, and that the food preparation area(s) are adequate to service the number of residents proposed to be served by the shelter.

All new shelters 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 per year must be provided to all shelters under the sponsoring organization’s jurisdiction. The training sessions must be on topics related to CACFP, menu planning, food safety and sanitation, nutrition, nutrition education, recordkeeping, claim submission, or other topics necessary for Program compliance.

Monitoring visits for the shelters under the sponsoring organization’s jurisdiction shall be completed at least three times per year and will be conducted for a minimum of two hours. At least one review shall be made during each new shelter’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 shelters:

- Daily dated menus for infants and children
- Resident rosters
- Proof of non-profit food service
- Sanitation of the kitchen area
- Meal service
- Food and milk purchases and donation documentation to support menu
- Cross check meal count records with resident roster records
- Meal counting procedures

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	5/02	4/09	6	6.9
CHAPTER Chapter 6. Requirements of Management		SUBJECT Civil Rights Data Collection			

The Sponsor must ensure that Program benefits are made available to all eligible individuals without regard to race, color, age, sex, disability, and national origin.

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

- Estimate of the racial/ethnic make-up of the population to be served in each shelter. Sources for this information might include census data or public school enrollment.
- Actual beneficiary data by racial/ethnic category for each shelter. Visual identification may be used to determine a beneficiary's racial/ethnic category or the parents of a beneficiary may be asked to identify the racial/ethnic category for their child. Parents may be asked to identify the racial/ethnic category for their child 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 about the opportunity to participate.
- Other Federal agencies providing financial support to the applicant.

Throughout the Program year, the institution must:

- Display the "And Justice For All" poster in a prominent place in each sponsored shelter.
- Display the "Building for the Future" poster in a prominent place in each sponsored shelter.
- Have the capability of providing informational materials in the appropriate translation concerning the availability and nutritional benefits of the CACFP.
- Make Program information available to the public and shelter residents upon request.
- Provide the nondiscrimination statement and procedure for filing a complaint in information concerning the Program or Program activities directed to parents of beneficiaries and potential beneficiaries.

Ref: Civil Rights Instruction 113-1 (November 8, 2005)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM				
	ISSUED	REVISED	CHAPTER	SECTION	
EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL		5/02	4/09	6	6.10
CHAPTER Chapter 6. Requirements of Management		SUBJECT Civil Rights Complaint Procedure			

Any person alleging discrimination based on race, color, national origin, sex, age, or disability has a right to file a complaint within 180 days of the alleged discriminatory action. Under special circumstances, the time limit may be extended by the Office of Minority Affairs.

All Civil Rights complaints, written or oral, shall be accepted and forwarded to the Civil Rights Division through the USDA Mountain Plains Regional Office or the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance. The complaint should contain the following information:

- Name, address, and telephone number or other means of contacting the complainant;
- The specific location and name of the entity delivering the service or benefit;
- The nature of the incident or action that led the complainant to feel discrimination was a factor or an example of the method of administration which is having a disparate effect on the public, potential participants, or participants;
- The basis on which the complainant feels discrimination exists;
- The names, titles, and business addresses of person who may have knowledge of the discriminatory action; and
- The date when the alleged discriminatory action(s) occurred, or if continuing, the duration of such actions.

The complaint will be reviewed and acted upon by the USDA Mountain Plains Regional Office.

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	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL		5/02	4/09	6	6.11
CHAPTER Chapter 6. Requirements of Management			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 institutions to use the standard agreement provided by the MDHSS for use between the sponsoring organization and all facilities under their sponsorship where those shelters are legally distinct from the sponsoring organization. A copy of the sponsor-shelter agreement is available upon request from MDHSS-BCFNA.

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

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	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	12/03	4/09	6	6.12
CHAPTER Chapter 6. Requirements of Management		SUBJECT Claiming Infants			

Sponsoring Organizations of shelters participating in CACFP must offer program meals to all children in residence at the shelter(s). Infants through 11 months of age must have access to CACFP meals in the shelter where they reside. CACFP meal requirements are defined on the *Infant Food Chart*. When an infant is in residence during the meal service period, the shelter must offer the infant a meal that meets Program requirements. A sponsor may not avoid this obligation by citing some logistical or cost barrier to offering an infant meal. Decisions on offering Program meals must be based on the part that the infant is a shelter resident.

Infants must be recorded on the resident roster, meal count records, and claim forms the same as the other children in residence. Reimbursement rates for infants are the same as for older children. Infant meals claimed may not exceed three meals or two meals and one snack per day, regardless of the number of times the infant eats. It is assumed that the required amounts are offered.

The *Infant Food Chart* should be given to parents of infants when they complete the resident roster.

Infant meals **can be claimed** in these situations:

- Typically, only meals served in congregate meal setting are eligible for reimbursement in shelters. An exception is made for infants' birth through 11 months of age served in private family quarters that are part of a shelter residence and the infant is documented on the resident roster. These meals are reimbursable if the shelter provides all of the required meal components when the child is developmentally ready and maintains records documenting that sufficient food has been provided to meet the minimum meals requirements for infants.
- Parents provide expressed breastmilk and the shelter provides all other required meal components as appropriate for age according to the *Infant Food Chart*. Meals containing only breastmilk may be claimed for infants from birth through seven months of age if served in a bottle by shelter staff.
- Parents accept the CACFP approved infant formula provided by the shelter and the shelter provides all other required food components as appropriate for age according to the *Infant Food Chart*.
- Parents provide a CACFP approved infant formula and the shelter provides all other required meal components as appropriate for age according to the *Infant Food Chart*. Infant meals may be claimed for children birth through seven months of age if the parent declines the formula offered by the shelter and provides a CACFP approved formula from an outside source and the shelter feeds the infant the formula. The center may provide other required meal components, based on the readiness of the infant to eat solid foods.
- Mothers who breastfeed their infants and the shelter provides all other meal components.
- When a shelter provides a parent/guardian a Women's Infants & Children (WIC) food voucher for food package pick up at a grocery store. If the parent shares the food (formula, infant cereal and juice) with parents of other shelter infants (puts into a communal "pot") then the shelter can claim the infant meals.

Infant meals **cannot be claimed** in these situations:

- Mother comes to the congregate dining area to breastfeed her infant and no other food components are served. While this feeding practice is desirable, the meal cannot be claimed for CACFP because the shelter is not providing the service of feeding the infant.
- Parents do not accept the foods offered by the shelter and bring food from an outside source for their infant.
- Parents provide their own low iron or other formula that is not CACFP approved without supporting medical documentation.
- Whole milk is served in place of breastmilk or infant formula without medical documentation.
- When the parent/guardian picks up WIC food voucher package from the grocery store and does not share with parents of other shelter infant residents but store in their private living quarters.

See Section 7.2 for more information on infant feeding.

***WIC Food Voucher**

Effective October 1, 2008 through September 30, 2009, WIC voucher provided the following food (subject to availability) on a monthly basis:

- Birth through three months – 9, 12.9 oz. cans of Enfamil LIPIL with Iron powdered formula that yields 806 fluid ounces when reconstituted.
- Four to five months – 9, 12.9 oz. cans of formula plus 1, 8 oz. box of iron fortified dry infant cereal.
- Five to six months – 9, 12.9 oz. cans of formula plus 2, 8 oz. boxes of infant cereal.
- Six through 11 months – 9, 12.0 oz. cans of formula, 2 boxes of infant cereal plus 2, 32 oz. bottles of juice.

Reference: 7CFR226.20(b)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM		ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL		6/1/02	4/09	7	7.1
CHAPTER Chapter 7. Meal Pattern			SUBJECT Minimum Requirements for Meals: Ages 1-18			

Breakfast

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

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

Lunch or Supper

A lunch or supper shall include a serving of fluid milk, a serving of lean meat or meat alternate, two or more servings of different vegetables and/or fruits, and a serving of enriched or whole grain grains/bread.

Snack

A snack shall include at least two of the four components (meat or meat alternate, 100% juice or fruit or vegetable, grains/bread, fluid milk). Juice may not be served when milk is served as the only other component. 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 – Children” on the CACFP website at: www.dhss.mo.gov/cacfp.

Ref: 7CFR 226.20

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	7	7.2
CHAPTER Chapter 7. Meal Pattern		SUBJECT Requirements for Meals: Birth Through 11 Months			

Meals served to infants up to one year of age must meet the requirements described in this policy and in the *Infant Food Chart*. Foods of an appropriate texture and consistency for each infant are required only when the infant is developmentally ready. The infant’s parent or guardian should be involved in all decisions concerning changes in the feeding pattern. Solid foods should be introduced one at a time on a gradual basis, after the infant reaches at least four months of age.

Breastfeeding should be supported as the preferred way to feed infants. In addition, shelters must offer at least one iron-fortified infant formula. The infant formula selected should be one that satisfies the needs of the majority of the infants in the residence at any given time. Either breastmilk or iron-fortified infant formula, or portions of both, must be served for the entire first year. Infants should be held when being fed a bottle, and should never be laid down with a bottle.

Infants must be offered at least the minimum amounts of the meal components outlined in the *Infant Food Chart*. For some breastfed infants who regularly consume less than the minimum amount of breastmilk per feeding, a serving of less than the minimum amount of breastmilk may be offered. More breastmilk must then be offered if the infant is still hungry. Breastfeeding mothers put considerable effort into expressing and storing their milk so shelters should take extra care to avoid wasting breastmilk.

Fruit juice should not be offered to infants until they are at least six months or older and developmentally ready to drink from a cup. Feeding fruit juice only from a cup helps develop behaviors that may prevent early childhood dental caries. Full strength (100%) fruit juice may be served as part of the snack meal for infants 8 through 11 months.

When a family with an infant enters a shelter and completes the resident roster, the parent or guardian should be given a copy of the *Infant Food Chart* and the *Infant Menus* for the age of the infant. The infant menus can serve as a guide to the parents for recommended foods for the age of the infant.

Individual infant menus are as follows:

Birth through three months – only breastmilk or iron-fortified infant formula is required to meet the infant’s nutritional needs.

Four months through seven months – breastmilk or iron-fortified formula is required. Some infants may be developmentally ready for solid food of an appropriate texture and consistency. Follow the *Infant Food Chart* for meal requirements.

Eight months through 11 months – follow the *Infant Food Chart* for meal requirements.

Meals containing breastmilk or iron-fortified formula may qualify for reimbursement from birth through seven months of age, if the shelter staff is feeding the formula/breastmilk from a bottle. Meals containing

breastmilk served to infants in the four through 11 month age group may be claimed for reimbursement only if all other required food components are provided by the shelter. Under the infant meal pattern, infant formula is a required component, and must always be offered in order for the shelter to obtain reimbursement under the CACFP, unless breastmilk provided by the infant's mother is served in its place.

A parent or guardian may elect to decline the infant formula offered by the shelter, and provide their own formula from an outside source. If the parent/guardian elects to use formula from another source, the shelter must obtain a signed, written statement from the parent/guardian declining the use of formula provided by the shelter. If the signed written statement is not on file for infants whose formula is brought from another source, the shelter may not claim the infant's meals for reimbursement.

Meals containing iron-fortified formula provided by the infant's parent that is served to infants in the four through seven months age group can be claimed for reimbursement only if the other optional food components are provided by the shelter when the child is developmentally ready. Meals containing iron-fortified formula provided by the infant's parent served to infants in the eight through 11 months age group can be claimed for reimbursement only when all other food components are provided by the shelter. (If the shelter is providing the infant with formula, meals served to infants of all ages may be claimed, however, the shelter must meet all other component requirements.)

Infant cereals must be fortified to the level of 45% of the Daily Value for iron as indicated by the manufacturer's nutrition label.

See Section 5.11 for more information on claiming infant meals. More information on feeding infants is available in the USDA publication *Feeding Infants – A Guide for Use in the Child Nutrition Programs*. Available at: www.fns.usda.gov/tn/Resources/feeding_infants.html.

Reference: 7CFR226.20(b)

Feeding Infants, A Guide for Use in The Child Nutrition Programs (FNS-258)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	7	7.3
CHAPTER Chapter 7. Meal Pattern		SUBJECT Component Definitions			

Milk

Milk means pasteurized fluid types of unflavored or flavored whole milk, reduced fat milk, fat free milk and cultured buttermilk that meets state and local standards for milk. Whole milk is recommended for children one to two years of age. Low fat, flavored milks should not be served to children in the one to two year age group. Children under one year of age must be served breastmilk or iron-fortified formula.

Reconstituted dry milk does not fit the definition of fluid milk and 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 with one other component) to meet this requirement.

Alternate protein products may be counted as meeting all or 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.

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

To be counted toward meeting any part of the meat/meat alternate requirement a menu item must provide a minimum of 1/4 ounce of meat or equivalent.

Fruit/Vegetable

Vegetables and fruits are credited as served. Serving sizes, of at least 1/8 cup must be served to be credited towards the fruit/vegetable requirement. Less than 1/8 cup of vegetables or fruits must be considered flavorings or optional ingredients. In addition, garnishes, condiments, olives, pickles and 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 fruits and/or vegetables must be served to meet the total (1/4 to 1/2 cup) requirement.

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

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

Grains/Bread

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

In order to be creditable, a bread or grain 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.
- A 1/4 cup portion size is the smallest serving amount allowable.
- Not be a dessert type food item for lunch or supper.

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

Review the “Creditable Food Guide” at: www.dhss.mo.gov/cacfp/LawsRegs.html for specific food items.

Reference: 7CFR226.20(a)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	7	7.4
CHAPTER Chapter 7. Meal Pattern		SUBJECT Types of Meal Service			

Unitized

Under the unitized method of meal service, each child receives at least the minimum serving size of each required meal component. (The children must be served at least the minimum serving size of each required meal component at each meal.) The shelter may not serve smaller initial portions to a child and allow the child to request seconds. The full amount of all required meal component must be served initially. It is not acceptable to delay the service of a required meal component until other components have been consumed.

Family Style

Under the family style meal service, each child serves their own portion of each meal component. Additional servings of each meal component should be readily available at each table. Family style meal service is encouraged for CACFP if:

- Enough food is placed in serving bowls/platters on each table to provide at least the minimum portion of each component for all children at the table and to serve the program adults who supervise the meal service at each table. **(Meals for Program and non-Program adults may not be claimed for reimbursement.)**
- Some amount of each required component must be served by the adult or each child and at least the minimum regulatory portion must be offered to the child.
- When the full regulatory portion is not initially served, supervising adults should assume the responsibility of actively asking the child if they would like the full portion or seconds during the course of the meal.
- The following guidelines help assure that at all times food is being properly handled and safe;
 - Children needing additional help should be seated next to the adult at the table
 - Use of child size chairs and tables helps assure safer handling of the food
 - Use dishes, glasses, bowls, and pitchers that are small and light in weight making it easier for the children to handle
 - Children and caregivers shall not handle food with bare hands. Spoons, tongs, or scoops shall be used to handle the food

Any food placed on the table may not be reused or served as a leftover at a later time. Food that has been prepared, but not placed on the table, may be reused if properly chilled, stored and reheated to at least 165 degrees Fahrenheit. Under the Missouri Department of Health and Senior Services Sanitation standards, milk should not be put on the table to sit for any period of time. Milk should be poured just before the meal service begins then stored in the refrigerator. The Missouri Department of Health and Senior Services recommends the purchase of half-pint cartons or service of milk from a milk dispenser. Sanitation rules may vary depending on the location of the shelter. Please contact your local sanitarian for guidelines for your area.

With both meal types specified above, all food items must be placed on a child's plate in order to insure that a reimbursable meal or snack is served. If the child is not served all required components, the meal may not be claimed for reimbursement. See Section 7.5 for exceptions on when all required components may not have to be served.

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	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	7	7.5
CHAPTER Chapter 7. Meal Pattern		SUBJECT Substitutions			

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

Physical Needs

Shelters participating in the CACFP are required to make substitutions or modifications to the meal pattern for child residents with disabilities and whose disability restricts their diet. If a child resident is unable to consume the meals offered to other participants, appropriate substitutions to the meal pattern must be provided.

A child resident, whose disability or other medical needs restricts his or her diet, shall be provided substitutions in foods by the Shelter as best they can from the normal foods available.

Reimbursement for meals served with an authorized substituted food to disabled participants shall be claimed at the same reimbursement rate as meals that meet the meal pattern requirement. There shall not be a supplementary charge for the substituted food item(s).

Medical Reasons

Shelters may make substitutions for participants who are not disabled but are unable to consume a food item because of medical or other special dietary needs. Such substitutions may only be made on an individual basis.

Participants with medical or special dietary needs may have substitutions to the meal pattern if the Shelter can make the accommodation.

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 that meet the meal pattern requirement. There shall not be a supplementary charge for the substituted food item.

Ethnic, Religious, Economic, or Physical Needs

Variations due to ethnic, religious, economic, or physical needs may be made on an experimental or on a continuing basis with approval from the Food and Nutrition Service (FNS). A shelter may request FNS approval by submitting a letter to the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) stating the substitutions to be made and the reasons for their necessity.

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

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	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	7	7.6
CHAPTER Chapter 7. Meal Pattern		SUBJECT Meals Not Provided/Prepared by Shelter			

To claim reimbursement for a meal, the shelter must supply all of the CACFP meal components. **Food provided from other sources or by parents cannot be counted as fulfilling the CACFP required components.** If the parents provide an additional (extra) food for a meal or snack and the shelter provides the required meal components, then the meal may be claimed. It is strongly recommended that the required components be served before any additional or extra foods are offered.

Example

Johnny Doe’s mother brings cookies to the meal or snack to help celebrate his birthday. The shelter serves the cookies and milk for the snack. This snack cannot be claimed because the shelter did not provide the two required components. The shelter could serve fruit and milk and then offer the cookies that the parent provided and claim the snack for reimbursement.

Meals purchased at a fast food establishment or restaurant may not be claimed for reimbursement when served to children. Meals “packed” at the shelter and sent with a child to eat at another location, without the supervision of shelter personnel, are not eligible to be claimed for CACFP reimbursement. Picnic meals (served off shelter grounds) provided by and supervised by shelter personnel can be claimed, however, care must be taken to assure that potentially hazardous foods are kept at temperatures below 41 degrees.

The Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) understands that shelters may receive food that is donated from the community. For example: Pizza Hut donates 15 pizzas. The shelter may serve the pizza as part of the required meal pattern and claim the meal for reimbursement as long as the served portion of meat/meat alternate provided by the donated food (pizza) can be documented and the meal is served in a congregate setting at the shelter.

Exceptions to this provision are made:

- When the parent supplies CACFP approved iron fortified infant formula and has rejected the formula offered by the shelter. In these instances, the infant meals may be claimed until the infant is seven months old. After seven months of age, the Shelter must provide the iron fortified infant cereal and all other solid foods (baby foods) as the infant is developmentally ready. Review the Infant Meal Pattern for meal component requirements.
- When it is necessary for a parent to supply a very specialized formula for medical reason, then the meal may still be claimed for reimbursement if the provider supplies at least one required meal component. A written medical statement is required. See Section 7.5 for medical statement requirements. (Source: FNS Inst 784.3)

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	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	7	7.7
CHAPTER Chapter 7. Meal Pattern		SUBJECT Processed Foods			

Processed foods such as breaded meat products, frozen pizza, ravioli, corndogs, or tamales cannot be counted toward fulfilling the meat/meat alternate requirement unless the shelter has documentation of the composition of the processed product. For breaded meat items, it is acceptable to remove the breading and weigh the amount of the cooked meat after the breading has been removed. For example: canned ravioli that does not have documentation for the amount of meat/meat alternate would need cooked ground beef and/or cheese added to ensure the appropriate amount of meat is included in the meal.

All documentation regarding processed foods must be maintained in the shelter files. If information is not available at the time of a monitoring review, meals containing the processed foods may be disallowed.

Home Canning or Processed Foods

Home canned food cannot be used in the CACFP or received as donations in the shelter. Home canned foods are at risk of being contaminated with harmful bacteria, especially if they are not properly handled before, during and after the canning process. Home canned and processed foods create a safety concern for children being served by the Program. Jams and jellies are included in the category of home canned foods.

Home butchered or home processed animals may not be served to participants in shelters. Only meat that has been butchered and processed in a USDA inspected facility may be used to feed shelter participants. The shelter must receive these meats from an approved source.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM		ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL		11/1/06	4/09	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 shelter’s approved meal times as listed on the Center Information Sheet of the Program application on the web-based system. 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: <http://dhssweb04.dhss.mo.gov/cnp>.

Meal service times for infants (birth through 11 months) are not restricted by this policy. Infants should be served “on demand” when hungry. Claims for reimbursement of infant meals are limited to three meals **or** two meals and one snack per day when the child is a shelter resident.

With the exception of infants, meals must be served in a congregate setting.

Approved Meals

Shelters may claim three meals (breakfast, lunch, supper) or two meals and one snack per day per participant in attendance at the meal. The child must be in residence at the shelter.

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.
- Breakfast service may start no earlier than 6:30 A.M.
- Breakfast service must be completed by 10:00 A.M.

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/or evening.
- A snack may be scheduled no earlier than 2 hours after the completion of the previous meal or snack.

Lunch

- The duration of the lunch meal service may take no more than two hours from start to finish.
- The lunch may not be served before 10:30 AM and must end by 1:30 PM.

- The lunch may be scheduled no earlier than two hours after the completion of the previous meal or snack.

Supper

- The duration of the supper meal service may take no more than two hours from start to finish.
- The supper may not be scheduled to start before 5:30 PM.
- The supper may be scheduled no earlier than two hours after the completion of the previous meal or snack.
- The service of the supper must end no later than 8 PM.

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

This policy is effective January 1, 2009.

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.

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	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL		6/1/02	4/09	8	8.1
CHAPTER Chapter 8. Recordkeeping			SUBJECT Purpose of Records			

All institutions participating in the CACFP are required to keep records to verify compliance with Program regulations. Records verify that a shelter is serving the required menu components in adequate quantities to participants. Records of attendance and meal counts are required to support the monthly claim for reimbursement.

All records identified in this chapter must be kept 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 with 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.

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	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	8	8.2
CHAPTER Chapter 8. Recordkeeping		SUBJECT Records to Support Program Cost			

A shelter must verify that all reimbursement received from the CACFP is being used solely for the food service operation. The following expense documents associated with the CACFP must be maintained and 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 receipts from food donations 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 that could be included as operating costs are single service and reusable dishes, utensils, and cleaning supplies used only for the food service.

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 cost must be maintained. Since shelters serve meals to both eligible children and non-program children (“walk-ins”) and adults, it is recommended the shelter calculate the percent of Program meals based on the total number of meals served to everyone. Using this percentage will allow the shelter to determine costs associated with the Program eligible meals.

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

For Example

Monthly rent for XYZ Shelter is:	\$600
One-fourth of the shelter is in the kitchen area:	<u>x .25</u>
\$150 of the rent could be charged to the food service.	<u>\$150</u>

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
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL			6/1/02	4/09	8	8.3
CHAPTER Chapter 8. Recordkeeping				SUBJECT Records to Support the Claim			

The following records must be kept on file to support the claim for reimbursement:

- Daily dated menus by type (breakfast, lunch, supper, snack) for Infants and Children
- Daily Resident Rosters
- Point of Service Meal Count Records by Date and Meal Type (breakfast, lunch, supper, snack)
- Food and Milk Purchase and Donation Receipts

See Sections 5.2 and 6.3, for more information on recordkeeping. Access the resource titled “Orientation/Recordkeeping Workbook Emergency Shelters” at: www.dhss.mo.gov/cacfp/LawsRegs.html for detailed instructions and sample forms.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	8	8.4
CHAPTER Chapter 8. Recordkeeping		SUBJECT Records to Support Compliance			

Records that must be kept on file to support compliance to CACFP regulations are:

- Training Documentation
- Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance correspondence
- Civil Rights Data
- Program Services Contract
- Health Inspections and building Fire/Safety Inspection

These documents are in additions to the food service records required.

See Chapters 5 and 6, Requirements of Management, Required Recordkeeping, for more information.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	9	9.1
CHAPTER Chapter 9. The Monitoring Visit		SUBJECT Areas Which Will Be Monitored			

The purpose of the monitoring visit is to ensure that the shelter is operating the Child and Adult Care Food Program in accordance to the regulations and to provide technical assistance in any area relating to the CACFP. The monitoring visit is conducted by a CACFP District Nutritionist. The visit may be announced or unannounced and is conducted during normal business hours. Regulation requires that all institutions be reviewed at least every three years.

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

- Meal Count Verification
- Daily dated meal count records taken at the point of meal service for each meal/snack claimed (breakfast, lunch, supper, snack)
- Meal Service time within the requirements of Section 7.8 and approved on the Center Information Sheet of the web-based Program application site
- Non-Profit Food Service Verification
- Daily Dated Menus
- Civil Rights Compliance
- Food Service Receipts, vouchers and donation documentation
- Daily Resident Rosters
- Annual Contract
- Other Required Documentation, such as: health, safety and sanitation reports

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	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	9	9.2
CHAPTER Chapter 9. The Monitoring Visit		SUBJECT Meal Count Verification			

During the monitoring visit, the CACFP District Nutritionist will recount meals for the month being reviewed. Resident rosters will be checked against the meal count records to verify that the child was in residence for the day and meals claimed. Once the meal count is determined for the review month, an overclaim or underclaim may be assessed. If the meal count results in an overclaim, the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) will complete a revised claim. The shelter may appeal the overclaim. A claim revision will be made for the review month in which the claiming error was made. See Chapter 12 for appeal procedures.

If the meal count results in an underclaim, the shelter may submit a revised claim. The underclaim will be processed by MDHSS-BCFNA if the shelter submits it within 90 days from the end of the claim month. The shelter may submit underclaims for month(s) prior to the review month if the revision is submitted within 90 days from the end of the claim month. An underclaim submitted after the 90-calendar day deadline 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
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	9	9.3
CHAPTER Chapter 9. The Monitoring Visit		SUBJECT Monitoring Policy			

Each shelter will be monitored at least once every three years. Shelters having a history of problems may be visited on a more frequent basis. New shelters applying for participation will receive on site orientation training prior to approval of the application for participation in the CACFP. Monitoring visits may be announced in advance or they may be unannounced. If announced in advance, the shelter 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. The shelter will be accountable for having records available when the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition (MDHSS-BCFNA) Nutritionist arrives at the shelter. For unannounced visits, no advance notification will be given. Listed below are Program records required by regulations. During all monitoring visits, all required records must be available to the MDHSS-BCFNA Nutritionist within one hour of arrival. Failure to make any and/or all records available within the required time may result in findings, corrective action, and/or overclaims.

The following records will be reviewed:

- Daily meal count records by meal type for each month of the current fiscal year.
- Resident rosters for all Program participants.
- The Program Services Contract with MDHSS-BCFNA.
- Copies of supporting documents the shelter has submitted to MDHSS-BCFNA.
- Daily records of meals, served by type (breakfast, lunch, supper or snack) to children who are not shelter residents and adults working in the food service (if applicable). **Meals served to adults and to children as “walk-ins” are not eligible for reimbursement.**
- Copies of invoices and receipts that document administrative costs, operating costs, and income to the food program. If expenses not relating to CACFP are shown on the grocery store receipts, these purchases should be circled or otherwise indicated that they are not CACFP expenditures.
- Copies of menus for children ages 1-18 for the current fiscal year.
- CACFP training documentation including, dates, locations, agenda topics, and names and signature of participants.
- Compliance with the Civil Rights Act of 1964. The “And Justice for All” and “Building for the Future” posters must be posted in a prominent place. If you need posters, you can print from the link on the CACFP website or contact MDHSS-BCFNA at 800-733-6251.
- A copy of your most recent health and safety sanitation inspection report or certification that there are no applicable local health standards issued by the state or local health department.
- At least one complete meal service will be observed.

Reference: 7CFR226.6(m)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM		ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL		6/1/02	4/09	9	9.4
CHAPTER Chapter 9. The Monitoring Visit			SUBJECT Monitoring Visit Report			

The shelter shall receive a monitoring visit report within one month of the on-site visit. The report and cover letter will outline any comments, findings, recommendations, and required actions. If a discrepancy is found in the meal count verification resulting in an overclaim, the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) will process a revised claim. A written Corrective Action Plan (CAP) response to any action items is required within three weeks of receipt of the monitoring visit letter.

If MDHSS-BCFNA does not receive the response within the given time frame, the shelter will receive a reminder letter outlining the requirement to submit a CAP. If, after the second notification, MDHSS-BCFNA does not receive a response, a letter will be sent notifying the shelter that it is seriously deficient for non-compliance with Program requirements and the shelter will be given 15 days to comply. If the shelter fails to respond within 15 days after notification of being declared seriously deficient, MDHSS-BCFNA will send a letter proposing to terminate the institution from the CACFP in accordance with Program regulations.

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

If the monitoring visit reveals serious problems at a shelter, the MDHSS-BCFNA Nutritionist will take follow-up action. The follow-up could be a return visit to the shelter within 90 to 180 days and/or a requirement that the shelter submit monthly records to the MDHSS-BCFNA for review to substantiate claims for reimbursement.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL			6/1/02	4/09	9	9.5
CHAPTER Chapter 9. The Monitoring Visit				SUBJECT Meal Service Compliance			

Menus for both infants and children will be reviewed to determine if the children received the required components and creditable foods. If all required components were not served, meal reimbursements will be disallowed.

If food expenditures for the month do not support the menu, meals will be disallowed.

Food and milk purchase receipts and itemized donation receipts will be reviewed to determine if the appropriate quantities of all food items are being purchased, prepared, and served to each child according to the dated menu. If food purchase receipts do not support the menus and indicate inadequate quantities of food 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.

A meal service will be observed during the site monitoring visit to observe preparation and service methods. Shelter meals/snacks must be served in a congregate setting and eaten in the shelter by eligible residents of the shelter. An exception is made for infants from birth through age 11 months who may be fed in private family quarters in a shelter. Follow the infant meal pattern and guidelines to claim infant meals. See 5.7 for further information.

During the meal service, it will also be determined if adequate quantities and types of food and milk are served to the infants and children in residence.

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	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL		6/1/02	4/09	9	9.6
CHAPTER Chapter 9. The Monitoring Visit			SUBJECT Non-Profit Food Service Verification			

All CACFP money paid to a shelter must be used solely for the food service operation. The Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (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.

Receipts for food expenditures and documentation of food donations will be reviewed. If food costs for the month are less than the CACFP reimbursement, the shelter may be required to document 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 shelter is consistent with the guidance. If the total food service costs do not support the service of adequate, nutritious meals to the infants and children, meals may be disallowed.

Reference: CACFP-607

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	5/03	4/09	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 or supporting documentation
- Meal Claims
- Sponsor monitoring reviews (sponsors of multiple shelters 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. The institution is classified as seriously deficient and follow-up is conducted within 90 days. Failure to correct serious problems can result in termination of the CACFP contract.

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.

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	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	3/05	4/09	9	9.8
CHAPTER Chapter 9. The Monitoring Visit		SUBJECT Review of Food Purchase Receipts			

During each monitoring review, the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) Nutritionist will examine food receipts, invoices and donated food documentation to determine whether or not the shelter has purchased adequate food to meet the minimum meal pattern requirements and support the menu. Key food items of interest, which are easily tracked through the monitoring process, are perishables such as milk, other fresh dairy, fresh produce and bread. These items must be purchased on a regular basis due to their limited shelf life.

If the MDHSS-BCFNA Nutritionist has determined that the shelter has not purchased adequate quantities of milk, and this is the FIRST monitoring of the shelter and/or the shelter has not had prior findings of inadequate milk, the authorized representative for the shelter will be issued a warning. When a shortage is determined, the Nutritionist will require that all food and milk receipts be submitted to the central CACFP office with monthly claims “until further notice.”

If the milk purchase shortage was cited as a finding at a previous CACFP review, milk disallowances will be made based on the percentage of meals that met minimum meal pattern requirements. When a shortage is determined, the Nutritionist will require that all food and milk receipts be submitted to the central CACFP office with monthly claims “until further notice.”

If an institution continues to have inadequate milk purchases for six consecutive months, the shelter will receive a notice of serious deficiency from MDHSS-BCFNA. Continued failure to provide adequate quantities of food and milk to the children after receipt of the serious deficiency notice will result in the proposed termination of the institution from the CACFP.

Fluid milk is a required meal component at breakfast, lunch, and supper meals. Milk purchase requirements are based on the institution’s monthly claim for reimbursement for these meals.

Milk Requirements

1 gallon of milk will serve:

<u>Required Serving per Meal</u>	<u>Servings per Gallon</u>	<u>Age of Participants</u>
4 oz. (1/2 cup)	32 servings	1-2 years
6 oz. (3/4 cup)	21 servings	3-5 years
8 oz. (1 cup)	16 servings	6 and over

Children under one year of age must be served iron fortified infant formula or breastmilk.

Sample calculation for a shelter:

If the Nutritionist determines that the shelter served (claimed) a total of 1,527 breakfasts, lunches, and suppers and milk usage based on a five (5) ounce serving of milk per child, the representative will calculate as follows:

$1,527 \times 5 \text{ ounces} = 7,635 \text{ ounces of milk needed.}$

There are 128 ounces of milk per gallon.

$7,635 \text{ divided by } 128 = 59.6 \text{ gallons of milk needed.}$

Using this example, the shelter should have purchased a minimum of 60 gallons of milk to meet the meal pattern requirements for their claim.

Keep in mind that this (5 oz serving size) is only an estimate based on an average for mixed ages, since milk served at snacks is not included. If the shelter serves a large number of school age children the milk requirement would be greater.

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	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	3/91	4/09	9	9.9
CHAPTER Chapter 9. The Monitoring Visit		SUBJECT Deficiencies/Disallowances			

Meals will be disallowed if the records reviewed do not support the claim for reimbursement. If the institution does not agree with the findings of the CACFP reviewer, an appeal may be filed. See Chapter 12 for 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. Conditions under which an institution may be classified as seriously deficient include, but are not limited to:

- 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.
- 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.
- Failure to operate the Program in conformance with the performance 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 variation 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 federal regulations and with the sponsor’s management plan.
- Institutions may not claim reimbursement for a meal under more than one federal program.

- Failure of a sponsoring organization to properly train or monitor sponsored facilities in accordance with federal requirements.
- Failure to perform any of the other financial and administrative responsibilities required by the regulations.
- 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.
- Any other action affecting the institution's ability to administer the Program in accordance with Program requirements.

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

The MDHSS-BCFNA will notify the shelter's executive director and chairman of the board of directors that the shelter 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 shelter fails to fully and permanently correct the serious deficiency, MDHSS-BCFNA will take actions to terminate the contract with the shelter or sponsor, and to place the shelter 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 shelter's and sponsor's executive director and chairman of the board, and the responsible principals and responsible individuals, that MDHSS-BCFNA has rescinded the serious deficiency determination. If, however, it is found at any future review that the shelter 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 shelter's or sponsor's contract without further opportunities for corrective action.

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

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	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	1/08	4/09	9	9.10
CHAPTER Chapter 9. The Monitoring Visit		SUBJECT Termination and Disqualification			

If a shelter or sponsor has not taken timely action to fully and permanently correct the serious deficiency(ies), the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) will notify the shelter’s or sponsor’s executive director and chairman of the board, responsible principals and other responsible individuals that MDHSS-BCFNA is proposing to terminate the shelter’s or sponsor’s contract and to disqualify the shelter, 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 shelter or sponsor voluntarily terminates the contract after receiving notice of the proposed termination, the shelter/sponsor and the responsible principals and the responsible individuals will still be disqualified. The procedures for seeking an administrative review (appeal hearing) will be provided with the seriously deficient notice. A shelter or sponsor will have 15 days from the date of notice of the proposed termination to request an administrative review (appeal). See Chapter 12 for more information on appeals.

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

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				1/08	4/09	9	9.11
CHAPTER Chapter 9. The Monitoring Visit				SUBJECT Suspension of Participation			

If a state or local health official cites a shelter for serious health or safety violations, MDHSS-BCFNA will take immediate action to suspend the shelter’s participation in the CACFP, and will initiate action to terminate the shelter’s contract to participate in the CACFP and to disqualify the shelter, 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 shelter’s approval. In addition, if MDHSS-BCFNA determines that there is an imminent threat to the health or safety of shelter participants, or that the shelter 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.

The MDHSS-BCFNA will notify the shelter’s executive director, chairman of the board, the responsible principals and responsible individuals that the shelter’s participation in the CACFP has been suspended, that the shelter 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 shelter voluntarily terminates its contract after having been notified of the suspension and proposed termination, the shelter 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 shelter will be stopped. If the administrative review official overturns the suspension, the shelter may claim reimbursement for eligible meals served during the suspension period.

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

Suspension Review: A shelter 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 shelter/sponsor. If the hearing official determines that the suspension actions taken by MDHSS-BCFNA are appropriate, the shelter or sponsor will be suspended from participation in the CACFP beginning on the date the hearing official makes the decision. The MDHSS-BCFNA will notify the shelter/sponsor’s executive director, chairman of the board, responsible principals, and responsible individuals that the shelter’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 shelter/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			
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	ISSUED 6/1/02	REVISED 4/09	CHAPTER 10
CHAPTER Chapter 10. Free and Reduced Price Meals		SUBJECT Eligibility		

Public or private non-profit emergency homeless shelters are eligible to participate in the CACFP when they provide temporary shelter and food service to homeless children with or without their families. These facilities would include homeless shelters for families with children and shelters for runaways.

Children 18 years of age or younger and residents with disabilities, regardless of age, are eligible to participate in the CACFP.

Up to three meals (breakfast, lunch, supper) OR two meals and one snack per child per day can be reimbursed, including weekends and holidays. Meals served to children who do not reside in a shelter are not reimbursable under the Program. The shelter must differentiate between children residing in the shelter and “walk-ins.”

Meals served in congregate meal settings are eligible for reimbursement as long as the children are residents of the shelter. Meals served in private family quarters in a shelter are not reimbursable. An exception may be made for infants from birth through age 11 months who are fed in private family quarters that are part of a homeless shelter. Those meals may be reimbursable if the shelter provides all of the required meal components and shelter staff maintain records documenting food is provided to meet the minimum meal requirements for infants.

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	ISSUED	REVISED	CHAPTER	SECTION	
EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL		6/1/02	4/09	10	10.2
CHAPTER Chapter 10. Free and Reduced Price Meals		SUBJECT Commodities			

An approved shelter may receive CACFP reimbursement and cash-in-lieu of commodities for lunch and supper meals served to eligible children. A shelter may continue to receive and use commodity foods from The Emergency Food Assistance Program (TEFAP) for the meals it serves to adults and children who are not eligible for CACFP. The shelter records must be sufficient to establish the shelter's allotment of commodities under each program.

Note: Providers of meals to homeless children often serve a diverse clientele that includes homeless and non-homeless children and adults. In those situations where a shelter's total food service is not conducted exclusively for the benefit of eligible residential children, the shelter must keep separate records of the meals it serves. Since the shelter may serve meals to both eligible children and non-eligible children (walk-ins) and adults, it is recommended that the shelter calculate the percentage of reimbursable meals based on the total number of meals served. Using this percentage will allow the shelter to determine costs associated with Program participants. Meals served to non-eligible adults and children are not reimbursable.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	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 requirements of the contract are met.

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: www.dhss.mo.gov/cacfp/Contracting_Food_Svc.

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
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	11	11.2
CHAPTER Chapter 11. Procurement		SUBJECT Determining the Purchase Method			

There are four different methods that 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. 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 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 shelter 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.

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
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	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 require the following minimum specifications be placed in the blueprint or Invitation for Bid (IFB):

- The contractor shall maintain such records as the shelter 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 degrees Fahrenheit.
- Any federally donated commodities received by the shelter and made available to the contractor shall be used only for the food service program in that shelter.
- 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 shelter 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 shelters by food service management companies.
- Shall not include any non-food 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 children 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:

www.dhss.mo.gov/cacfp/Contracting_Food_Svc.pdf.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL			6/90	4/09	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 terms and conditions of the Invitation for Bid (IFB). Consideration shall be given to such matters as:

- 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. Shelters 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: 7CFR226.22(h)(2)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM			ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL			6/90	4/09	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. All 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 for approval before accepting a bid that exceeds the lowest bid. State agencies shall respond to any request for approval within ten 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
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL			6/90	4/09	11	11.6
CHAPTER Chapter 11. Procurement				SUBJECT Monitoring the Contract			

The shelter is ultimately responsible for assuring that the food service caterer is meeting all contract requirements. The shelter 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 CACFP 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 shelter based on the terms of the contract.
- Caterer is maintaining all records to document costs charged to the CACFP provider.
- Caterer is maintaining daily production records to verify that minimum Program serving sizes are provided for infants and children.
- 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: 7CFR226.6(i)(7)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	11	11.7
CHAPTER Chapter 11. Procurement		SUBJECT Standards of Conduct (Conflict of Interest)			

Shelters 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 shelter

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

A shelter'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: 7CRF226.22(d)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM		ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL		6/1/02	4/09	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 and 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: CFR226.22(f)(1-7)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	12	12.1
CHAPTER Chapter 12. Complaint and Appeal Procedures		SUBJECT Actions Which Can Be Appealed			

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

A shelter or sponsoring organization (SO) may appeal decisions made by BCFNA. Actions that may be appealed are those that affect the participation of a shelter in the Program or the shelter's claim for reimbursement. Actions that may be appealed include, but are not limited to:

- Denial of a shelter's application for participation;
- Denial of an application submitted by a sponsoring organization on behalf of a shelter;
- Notice of proposed termination of the participation of a shelter;
- Suspension of a shelter's contract;
- Demand for the remittance of an overpayment;
- Denial of all or part of a claim for reimbursement;
- Denial by the Missouri Department of Health and Senior Services to forward to the USDA Food and Nutrition Service (FNS) an exception request by the shelter 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;
- Any other action of the state agency affecting an institution's participation or its claim for reimbursement.

Actions not subject to appeal include:

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

Reference: CFR226.6(k)(2) and (3)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	12	12.2
CHAPTER Chapter 12. Complaint and 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 presented to the hearing official by the participant or participant’s legal counsel (required if incorporated or LLC) and the Missouri Department of Health and Senior Services.
- **Abbreviated administrative review** is a review of written material only. Written evidence is submitted to the Hearing Official 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 reviews for the appellants under the following scenarios:

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

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

Reference: 7CFR226.6(k)(4) and (9)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	6/1/02	4/09	12	12.3
CHAPTER Chapter 12. Complaint and 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 an 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 email 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. See the “What to do if you decide to appeal” flyer which is included with all monitoring reports sent from the BCFNA.

The request for an appeal **must** state whether the sponsor/center wants an in-person oral hearing or an abbreviated (written) administrative review. The request for an appeal **must** be written and mailed 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 or not the participant is requesting an in-person oral hearing, or an abbreviated administrative review.** A party or entity requesting a review may elect to have an abbreviated administrative review even though entitled to a full hearing.
- Be signed and dated 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

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. The 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
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL		6/1/02	4/09	12	12.4
CHAPTER Chapter 12. Complaint and 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 shelter 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 facility's application to participate in the Program, the determination of the Hearing Officer will either sustain the denial or shall direct that the shelter 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 shelter's participation in the Program, the determination of the Hearing Officer shall either sustain the termination or shall direct that the shelter 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: 7CFR226.6(k)

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL	4/1/03	4/09	12	12.5
CHAPTER Chapter 12. Complaint and Appeal Procedures		SUBJECT Appeal of Propose to Terminate Seriously Deficient			

An institution 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 classification. 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, and
- A follow-up on-site visit by the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) staff.

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.

When a follow-up site visit demonstrates full and permanent corrective action, the serious deficiency rating is rescinded and USDA-MPRO is notified.

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

A responsible principal of an organization is defined as directors, managers, officers, board members, and owners.

Responsible individuals are defined as those whose actions or inactions resulted in the serious deficiency. This can include employees, contractors, volunteers, and unpaid family members.

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM				
	ISSUED	REVISED	CHAPTER	SECTION	
EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL		5/02	4/09	13	13.1
CHAPTER Chapter 13. Commodities		SUBJECT Commodities or Cash-in-Lieu			

An approved shelter may receive CACFP reimbursement and USDA commodities or cash-in-lieu of commodities for lunch and supper meals served to eligible participants. A shelter may continue to receive and use commodity foods through The Emergency Food Assistance Program (TEFAP) for the meals it serves to adults and children who are not eligible for CACFP, provided that its records are sufficient to establish the shelter's allotments of commodities under each program.

Note: Providers of meals to homeless children often serve a diverse clientele that includes homeless and non-homeless children and adults. In those situations where a shelter's total food service is not conducted exclusively for the benefit of eligible residential children, the shelter must keep separate records of the meals it serves. Meals served to non-eligible adults and children are not reimbursable.

Commodities are foods purchased by USDA in large quantities. Products purchased may include beef, canned or fresh fruits and vegetables, grain products, peanut butter, or other available products. The USDA distributes these products, through state outlets, to eligible agencies.

Shelters receiving commodities must sign a contract with the Missouri Department of Social Services, Division of Family Services. Signature of this contract indicates that the shelter agrees to abide by terms and conditions contained within the contract. Shelters must be able to accurately document the number of meals served to eligible children in the CACFP.

Cash-in-lieu of commodities is a monetary payment for each lunch or supper served. A shelter receiving cash-in-lieu of commodities will receive a per lunch/supper meal reimbursement. This payment is equivalent to the dollar value of the commodity allotment.

Each year during the application process, the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance (MDHSS-BCFNA) asks each facility if they want to receive cash in lieu of commodities or actual commodities. If less than one-third of the facilities choose commodities, MDHSS-BCFNA will require that all institutions receive cash-in-lieu of commodities (additional money). If more than one-third of the institutions vote to receive commodities, MDHSS-BCFNA will provide commodities or cash based on the institution's preference.

Source: 8/18/1999 CACFP Memorandum