

## **Guidance on Dietary Requests With or Without a Disability and Parent/Guardian Provided Foods**

### **With a Disability**

Does the participant have a disability or medical condition that requires a special meal or dietary accommodation and has submitted a Special Diet Statement completed by a licensed physician, physician assistant, or advanced practice registered nurse such as a certified nurse practitioner? If so, a sponsor who participates in any federal nutrition program must comply with requests for special meals, menu modifications and any adaptive equipment if the participant has a disability that affects their diet at no cost to the parent/guardians. Federal civil rights law defines a person with a disability as a person who has a physical or mental impairment which substantially limits or affects one or more major life activities, (i.e. eating, seeing, hearing, etc.) and/or major bodily functions (i.e. digestion, bowel, bladder, immune system, respiratory, endocrine, etc.).

### **Without a Disability**

A Child and Adult Care Food Program (CACFP) sponsor may, but is not required to, accommodate requests if a participant does not have a disability, but is requesting a special meal or dietary accommodation due to food intolerance(s) or other medical reasons. A Special Diet Statement must be completed by a “recognized medical authority” (licensed physician, physician assistant, certified nurse practitioner, registered dietitian, licensed nutritionist or chiropractor) and submitted to the CACFP sponsor. Each special dietary request should be evaluated on a case-by-case basis.

### **Parent/Guardian Provided Foods**

Parents/guardians may choose to supply food for their child or adult care participant. Food and Nutrition Service (FNS) Instruction 784-3 allows sponsors to claim for meals/snacks that include food item(s) supplied by the parent/guardian if that food item(s) is necessary for a disability or non-disability medical reason and if the sponsor provides at least one required food component. A completed Special Diet Statement With or Without a Disability must be on file. The sponsor must discuss with the parent/guardian which food component(s) will be supplied by the family and which food component(s) will be supplied by the sponsor.

### **Additional considerations:**

- Meals served in the CACFP that have been modified or include food substitutions as prescribed in the Special Diet Statement with a disability can be claimed for program reimbursement even if the modifications or substitutions result in a meal that does not fully meet CACFP meal pattern requirements.
- Meals served in the CACFP that have been modified or include food substitutions as prescribed in the Special Diet Statement without a disability can be claimed for program reimbursement only if the modifications or substitutions result in a meal that meets CACFP meal pattern requirements. In other words, all required food components must be served.
- Sponsors may receive special dietary requests from parents/guardians to supply meals that are vegetarian, organic, restrict certain foods based on a religious or food preference. If the participant does not have a disability or special medical or dietary need, you do not have to accommodate the request. However, the U.S. Department of Agriculture (USDA) encourages sponsors to work with parents/guardians to provide nutritious meals that will meet the participant’s needs.
- A Special Diet Statement does not need to be renewed on a yearly basis but must reflect the current dietary needs of a participant.
- Sponsors of the CACFP may not interpret, change or revise a Special Diet Statement or diet order due to the potential for liability.

<b>With or Without a Disability</b>	<b>Required Documentation</b> Must be on file prior to making meal modifications	<b>Can Meals and Snacks be Claimed for Reimbursement?</b> (for participants over 12 months of age)
<p><b>With a Disability:</b></p> <p>The participant has a disability that affects their diet and requires a special meal or dietary accommodation.</p>	<p><a href="#"><u>Special Diet Statement With a Disability</u></a> signed by a licensed physician, physician assistant, or advanced practice registered nurse such as a certified nurse practitioner. The Special Diet Statement must include:</p> <ul style="list-style-type: none"> <li>• The participant's disability.</li> <li>• The major life activity affected by the disability.</li> <li>• An explanation of why the disability restricts the participant's diet.</li> <li>• Food(s) to be omitted and food(s) that must be substituted or modified.</li> </ul>	<p><b>Yes</b>, if the center supplies the food substitution(s) as outlined on the special diet statement and all other meal pattern food components.</p> <p><b>Yes</b>, if the parent/guardian chooses to supply the required food substitution(s) as outlined on the special diet statement and the center provides at least one meal pattern food component.</p> <p><b>No</b>, if the parent/guardian supplies all food components.</p>
<p><b>Without a Disability:</b></p> <p>The participant has a special medical or dietary need that is not considered a disability. For example, a gluten intolerance.</p>	<p><a href="#"><u>Special Diet Statement Without a Disability</u></a> signed by a recognized medical authority. The Special Diet Statement must include:</p> <ul style="list-style-type: none"> <li>• Identification of the medical or special dietary condition that restricts the participant's diet.</li> <li>• Food(s) to be omitted and food(s) that must be substituted.</li> <li>• Signature of recognized medical authority (licensed physician, physician assistant, certified nurse practitioner, registered dietitian, licensed nutritionist or chiropractor).</li> </ul>	<p><b>Yes</b>, if the center supplies the food substitution(s) as outlined on the special diet statement and all other food components.</p> <p><b>Yes</b>, if the parent/guardian chooses to supply the required food substitution(s) as outlined on the special diet statement and the center supplies at least one meal pattern food component. All required food components must be served.</p> <p><b>No</b>, if the parent/guardian supplies all food components.</p>