

## **Meal Modifications for Children and Adults with Disabilities in CACFP**

Institutions and facilities operating the Child and Adult Care Food Program (CACFP) must make meal modifications, including substitutions in meals and snacks, for participants with a disability and whose disability restricts their diet. Institutions and facilities must ensure that parents and guardians (and their children when age-appropriate at institution or facility discretion); adult participants; and persons on behalf of adult participants have notice of the procedure for requesting meal modifications for disabilities and the process for procedural safeguards related to meal modifications for disabilities.

### **1. State Licensed Healthcare Professional's Statement for Participants with Disabilities**

U.S. Department of Agriculture (USDA) regulations at [7 CFR 226.20\(g\)\(1\)](#) require substitutions or modifications in Program meals and snacks for participants whose disability restricts their diet. Institutions and facilities must provide modifications for participants on a case-by-case basis when requests are supported by a written statement signed by a State licensed healthcare professional or a registered dietitian. The modification requested must be related to the disability or limitations caused by the disability and must be offered at no additional cost to the participant or household.

The third page of this document (“Medical Plan of Care for Child Nutrition Programs”) may be used to obtain the required information from the State licensed healthcare professional or registered dietitian. In Pennsylvania, the following may sign the medical statement:

- Physician
- Physician assistant
- Certified registered nurse practitioner
- Dentist
- Registered dietitian

The written medical statement must include:

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

Modified meals that do not meet USDA meal pattern requirements are reimbursable only when supported by a valid medical statement for a participant with a disability that affects their diet. Meal substitutions that adhere to Program regulations are reimbursable with or without a medical statement.

### **2. Meal Variations for Non-disability Reasons**

Institutions and facilities are encouraged to plan and prepare meals and snacks that consider participants' dietary preferences. Special meal requests related to general health concerns, personal or cultural preferences, and moral or religious convictions are not based on a disability and are *optional* for institutions and facilities to accommodate. Meal modifications for non-disability reasons must adhere to Program regulations.

### **3. Rehabilitation Act of 1973 and the Americans with Disabilities Act**

Under Section 504 of the *Rehabilitation Act of 1973*, the *Americans with Disabilities Act (ADA) of 1990*, the *ADA Amendments Act of 2008*, and USDA regulations at [7 CFR Part 15b](#), a person with a disability means any person who has a physical or mental impairment that substantially limits one or more major life activities or major bodily functions, has a record of such an impairment, or is regarded as having such an impairment.

A physical or mental impairment does not need to be life threatening in order to constitute a disability. If it limits a major life activity, it is considered a disability. *Major life activities* include, but are not limited to: caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. A major life activity also includes the operation of a major bodily function, including but not limited to:

functions of the immune system; normal cell growth; and digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

#### 4. Individuals with Disabilities Education Act

Preschool children, infants, and toddlers with disabilities have additional rights under the *Individuals with Disabilities Education Act* (IDEA). Questions regarding the IDEA's requirements should be directed to the U.S. Department of Education, which is the federal agency responsible for the administration and enforcement of the IDEA.

#### **Child Nutrition Program (CACFP) Contact**

For more information about requesting accommodations to Program meals and the meal service for participants with disabilities please contact:

*Click here to enter local contact name and information.*

#### **USDA Nondiscrimination Statement**

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at:

<https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. **mail:**  
U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410; or
2. **fax:**  
(833) 256-1665 or (202) 690-7442; or
3. **email:**  
[program.intake@usda.gov](mailto:program.intake@usda.gov).

This institution is an equal opportunity provider.

## Medical Plan of Care for Child Nutrition Programs (CACFP)

*Please read pages 1 and 2 before completing this form.*

Participant's Name	Date of Birth	Age/Classroom
Name of Child Care or Adult Care Facility or Institution		
Name of Parent/Guardian or Participant's Representative	Phone Number of Parent/Guardian/Representative	
Signature of Parent/Guardian or Participant's Representative	Date	
1. Provide an explanation below of how the participant's physical or mental impairment restricts the participant's diet:		
2. Describe the specific diet or necessary modifications prescribed by the State licensed healthcare professional or registered dietitian to accommodate the participant's needs:		
3. List the food or foods to be omitted (please be specific) and recommended alternatives, if appropriate. <u>Foods to be omitted:</u>		
<u>Suggested substitutions:</u>		
4. Indicate texture modifications, if applicable: <input type="checkbox"/> Chopped/Cut into bite-sized pieces <input type="checkbox"/> Diced/Finely Ground <input type="checkbox"/> Pureed <input type="checkbox"/> Other:		
5. List any required special adaptive equipment:		
State Licensed Healthcare Professional or Registered Dietitian Name & Credentials (Please Print)		Provider Phone Number
Signature of State Licensed Healthcare Professional or Registered Dietitian		Date
<p><i>Completing the following section is optional but may prevent delays by allowing the Program to speak with healthcare professional.</i></p> <p><b>Health Insurance Portability and Accountability Act Waiver</b>            In accordance with the provisions of the Health Insurance Portability and Accountability Act of 1996 and the Family Educational Rights and Privacy Act, I hereby authorize _____ (healthcare professional) to release such protected health information of the participant as is necessary for the specific purpose of Special Diet information to _____ (CACFP facility/institution) and I consent to allow the healthcare professional to freely exchange the information listed on this form and in their records concerning the participant with the child care/adult care food program as necessary. I understand that I may refuse to sign this authorization without impact on the eligibility of my request for a Special Diet for the participant. I understand that permission to release this information may be rescinded at any time except when the information has already been released. My permission to release this information will expire on _____ (date). This information is to be released for the specific purpose of Special Diet information.</p> <p>The undersigned certifies that he/she is (<b>circle one</b>): <b>Parent Guardian Adult participant</b> or <b>Representative of participant</b> listed on this document and has the legal authority to sign on behalf of that person.</p> <p>Signature: _____ Date: _____</p>		