

Child and Adult Care Food Program (CACFP) Handbook

Sponsor Agency #2047

Child Care & Development Council of Oswego County,
a division of ICP



**CHILD CARE & DEVELOPMENT COUNCIL
OF OSWEGO COUNTY**
Sponsor Agency #2047
CACFP Handbook

United States Department of Agriculture (USDA) Child and Adult Care Food Program (CACFP) Sponsored
by the New York State Department of Health

The Child and Adult Care Food Program (CACFP) is a federally funded program of the Food and Nutrition Service (FNS), United States Department of Agriculture (USDA). CACFP provides reimbursement for meals served in child care settings and is made available in New York through the State Department of Health (DOH). DOH contracts with Integrated Community Planning of Oswego County (ICP) to sponsor participation in this program for family day care, group family day care, and legally- exempt providers who care for subsidized children. Child care centers must contract directly with DOH.

The mission of the Child and Adult Care Food Program is to ensure that child care providers serve nutritious and safely prepared meals and snacks to children age twelve and under in child care settings. The program offers reimbursement to family/group child care providers and informal child care providers for meals served to children in care. These meals must meet the nutritional standards set up by the USDA. All children to the age of 13 can participate in the program. In order to participate, child care providers must serve meals that meet CACFP meal pattern requirements and allow their child care home to be monitored. In addition, providers must maintain menu records, attendance records, meal counts and attend an annual training.

The goals of the CACFP program are to:

- Develop good eating habits in children that will last through later years.
- Train family/group child care and informal providers in good nutrition practices.

Disclaimer: Although this handbook is thorough in detail, it is impossible to cover every possibility that could occur. It is the provider's responsibility to contact the CACFP staff at ICP in any instances that are not noted in this handbook to seek guidance in their individual situation. Sound judgment and common sense should guide any decisions made by either the CACFP staff or the provider.

PROGRAM ELIGIBILITY

In order to participate in the CACFP program the provider must be one of the following: A registered/in process Family Day Care provider, a licensed/in process Group Family Day Care provider, or a legally- exempt provider who has a notice of enrollment. An eligible participant provides care in her/his Oswego County home and provides all meal components.

MEAL SERVICE

Day care regulations require that meals and snacks be served regularly according to the hours that a child is in care. Accurate meal times must be listed on the Application (DOH-3705).

- o Breakfast can be claimed between 5:00 am and 9:30 am,
- o Lunch can be claimed between 11:00 am and 1:30 pm and
- o Dinner between 5:00 pm and 7:00 pm.

In order to claim a snack, the child must be present for at least 15 minutes. For a meal, the child must be present for at least 30 minutes. There must be at least 1 ½ hours in between the end of a snack and the beginning of a meal and 3 hours between the end of one meal to the beginning of another meal. CACFP regulations require that monitoring visits be made during these times. Changes in these meal times must be reported to the CACFP staff. Providers are given a 15-minute window before and after the scheduled meal time to serve. In addition, a provider must notify the CACFP monitor (either in their KidKare calendar, by phone or email) if they are not going to be home during a mealtime that was approved by ICP. If an unannounced visit is attempted at the approved meal time and the provider is not present during the time submitted, the meal will be disallowed.

ENROLLMENT FORMS

Enrollment Forms are mandatory for all children who are present during meal times. The forms are available from ICP, or from the KidKare application. They may also be printed from the Department of Health website at health.ny.gov/forms/doh-4419.pdf. Please keep a duplicate for your onsite files, and mail (or deliver) the original to ICP staff offices at 317 West First Street, Suite 111 Oswego, NY 13126. The signed form must be received by ICP staff before a claim for meals served can be processed. All children must be re-enrolled annually, and the signed form submitted in the same way.

Three years of meal details, attendance records, and meal counts must be maintained for review by monitors, even after claims have been submitted and paid. At least 12 months of these records must be available onsite.

All children in a provider's program (infants included) must be enrolled into the CACFP program. If they wish to not participate, it must be noted on the enrollment form and still be claimed in attendance and at the meals.

NUTRITION REQUIREMENTS

USDA requires that each meal contain selections from the five food groups (grains, fruits, vegetables, meat/meat alternatives and milk). Specific portion size is required depending on the age of the child. These meal guidelines are outlined in two Food Charts; one for infants under one (CACFP-103) and one for children ages 1 to 12 (CACFP-102). Providers must develop their own menus according to these nutritional guidelines. They may use KidKare for menu reporting. Menus should reflect a variety of low fat, unprocessed, low sugar and low salt foods. It is required that children over the age of 2 be served unflavored 1% fat or skim milk. Juice should be limited to one 4-6oz serving per day. Water is strongly recommended to be offered to children throughout the day and when a beverage is not given at a snack. By offering a variety of foods, the children's nutritional needs should be met. The guidebook Crediting Foods in CACFP, produced by CACFP, can help the provider with nutritional and portion requirements. This guide is distributed to participants and is also available for reference on the ICP website at icpoc.org/forms.

Infant Meal Requirement

When enrolling an infant, please contact ICP staff to make sure you are able to be fully reimbursed for meals.

CACFP defines an infant as any child up to their first birthday. CACFP requires that participating providers offer meals to infants in care if the child is present during the meal service period. A provider must offer at least one iron-fortified infant formula that would satisfy the needs of one or more of the infants in care. An infant's parent or guardian may decline the formula or food being offered and supply some or all of the infant's meal components instead. The formula determination must be documented on the enrollment form by the parent or guardian. CACFP requires that both the provider and the CACFP sponsor have an enrollment form on file for all infants. A written statement from the parent with a current feeding plan is required to be on file in the child care home. The plan should include breast milk or formula preference, schedule of feeding, and any introduction of new foods.

The day a child turns one year the meals can be served according to the regular meal requirements instead of the infant requirements. A transition time of 1 month (from the date an infant turns 12 months to 13 months of age) is permitted during which a medical statement is not required when iron fortified infant formula is served. If a parent requests that the provider continue to serve infant formula beyond 13 months, a statement from a recognized medical authority must be on file. If the parent supplies breast milk, the child can be served breast milk as a substitute for the milk requirement for as long as the mother wishes without having to submit a medical statement. Breast milk is a substitute for cow's milk in the meal pattern for children. Cow's milk is not creditable when served to children under the age of one (unless there is a doctor statement on file).

REIMBURSEMENT

Child care programs participating in the CACFP are able to claim up to 2 meals & 1 snack, or 1 meal & 2 snacks per child per day when menu requirements are met. Rates of reimbursement are revised annually, and ICP staff will share new rates when they are updated, and at any time they are requested. New rates are automatically applied to the next claim.

<https://www.health.ny.gov/prevention/nutrition/cacfp/reimbrates.htm>

At the time a provider enrolls in the food program their reimbursement rate will be determined using a two-tiered means test. Annual tiering decisions will be determined at the same time as provider submits their child re-enrollment forms. Eligibility will begin the 1st of the month the tiering is determined.

Tier 1 Providers may qualify for the higher (Tier I) reimbursement rates if they meet one of these criteria:

They live in a low-income area:

The elementary school that the provider's children would attend has 50% or more children that participate in the free or reduced USDA program. A provider that meets these criteria is eligible for a period of 5 years.

The area in which the provider lives is considered under the 185% of the poverty level based on the latest census as well as the school free or reduced meal participation for the elementary school that their child would attend is 40-50%. Redetermination is completed every five years.

Their household is income eligible:

An Income Eligibility Application (DOH-4161) must be completed including submission of a copy of a current federal income tax form 1040 and Schedule C, if applicable. Any losses cannot be deducted from the income; it can only be zeroed out. The approval of the Income Eligibility Application is for a period of one year. If a provider's approval period is expiring, they will receive a new income eligibility application in the mail. This must be returned by the 25th of that month in order to continue to receive Tier 1 rates.

Tier II:

If a provider does not meet at least one of the above criteria, they will receive the lower (Tier II) reimbursement rate.

Tier II Mixed:

If a provider has been determined Tier II, the provider can request that all or some of their parents fill out an Income Eligibility Application (DOH-4160) to see if they are qualified to have meals that are served to their children reimbursed at the Tier I rate.

- o ICP will give the provider cover letters, and applications, for as many parents as they want to qualify. The parent needs to complete and mail their application directly to IPC. A family's income determination results can never be revealed to a provider. The provider will only know a ratio. (For example, ICP can tell a provider that three of five families are eligible for Tier I.)
- o Parents need to renew their Income Eligibility Application annually. The Income Eligibility Application packet is mailed directly to previously qualified parents by IPC 30 days prior to eligibility expiration. The application is reviewed the month it is received and if approved the higher tier rate will be paid from the beginning of that month.

Provider's Own/Resident Children:

- o A registered, licensed, or legally-exempt provider who meets income guidelines may also claim meals served to any resident children during business hours, when non-resident day care children are enrolled and present at the same meal service.
- o Income Eligibility is determined at the time of the provider's enrollment on the Income Eligibility Application. Income eligibility is re-determined annually. Before income eligibility expiration a new application is sent to the provider in the mail. This form must be returned by the 25th of the month to ensure continuous reimbursement.

CLAIMING PROCESS

After recording the attendance and menus up to the last day of the month and reviewing all the records (i.e. menus, attendance, meal counts, provider and child calendars), your claim is ready to be submitted. Menu and attendance records must be accurate and legible, and must include actual time-in/time-out records for each child. A copy of the OCFS attendance form (OCFS- 4443) may be used for attendance and meal count requirements. Please submit them to ICP by mail or drop them off to 317 West First Street, Suite 111 Oswego NY 13126. If you are using the KidKare application, you can review and submit the claim in the app, and simply email a copy of OCFS attendance. All claims are to be completed as soon as possible after the end of the month. No menu and attendance/meal count records will be accepted for reimbursement after 30 days from the last day of the month for which reimbursement is being sought.

TRAINING REQUIREMENT A provider participating in CACFP must attend nutrition training offered by ICP staff every year. Trainings are offered several times a year by ICP, and options are shared with programs during meal reviews, by email, and on the ICP website. These trainings are free to CACFP participants and can count towards licensing/registration requirements. Trainings are offered on topics such as Basic Nutrition, Menu Planning, Food Safety and Allergies, Infant Feeding and Childhood Obesity Awareness. Failure to attend the required nutrition training by the end of the year will result in a serious deficiency determination (see serious deficiencies).

MEAL REVIEWS

Meal reviews are conducted for several reasons:

- o To provide support and technical assistance to providers
- o For ICP staff to ensure CACFP requirements are being met
- o To ensure records are up to date
- o To review compliance with OCFS daycare regulations or Legally-Exempt Guidelines
- o To conduct a review of the provider's mealtimes and any other application changes that have occurred since the last visit.

During a provider's first year, there are a minimum of four meal reviews. The first review is announced and scheduled within 28 days of the DOH approval for the program. All other reviews are unannounced. After the first year, a provider's meal service is reviewed at least 3 times a year, all of which are unannounced. Meal disallowances occur at the time of meal reviews if:

- The provider is not home and a visit is made during the time approved by ICP, the meal will be disallowed unless the provider notified ICP or leaves a note stating where they have gone and when they will be returning.
- The meal observed does not meet CACFP requirements.
- The meal service and food prep area do not meet CACFP requirements.
- There is no written record of menus for the month, up to but not including the day of the visit. A written record must include all meal components and the correct dates served. When using a pre-planned menu, meals must be dated for the current month or they will be disallowed. If the meal does not match the meal served, there must be documentation of substitution.
- The children's attendance has not been documented.
- Meal counts for each meal are not documented.
- A submitted meal claim that does not match the monitor's review of the meal.

If a provider is over capacity during a meal review, reimbursement will not be made for any meals served during the over-capacity period. A complaint will be made to OCFS. The same rule applies to over-capacity found on Menu and Attendance records submitted by the provider.

*Any time a meal is disallowed at the time of a meal review an unannounced follow-up visit may be conducted to ensure that any issues have been corrected. This visit will not count as one of the required three visits per year. Failure to correct will result in a notice of serious deficiency and possible termination.

SERIOUS DEFICIENCY

Integrated Community Planning of Oswego County adopts the policy as stated in the Code of Federal Regulations that CACFP staff may suspend or terminate a CACFP provider's payment when the following conditions occur:

ICP may **suspend provider participation in CACFP only under one condition**: the imminent threat to the health and safety of children in care or the general public. Suspension can only occur when the licensing authority or sponsor staff identifies an imminent health and safety threat.

After the threat has been identified, ICP will immediately send a Suspension Notice to the provider that:

- o Identifies all serious deficiencies that constitute the imminent threat
- o Informs the provider that CACFP participation is suspended as of the date of notice
- o Proposes to terminate the provider's agreement for cause
- o Proposes to disqualify the home and the provider
- o Outlines the procedures for appealing the suspension, proposed termination and disqualification

The provider may appeal the proposed termination for cause and disqualification. A copy of the appeals procedure will be enclosed with the notification and termination and disqualification. Not following the appeals procedure may result in the denial of your request to appeal. Provider will be given 15 days from the receipt of the notification to request an appeal hearing. The hearing official must send an acknowledgement in writing within 5 days of receipt of provider's request for an appeal hearing. The provider must submit documentation to support his/her argument within 5 days of receipt of acknowledgement from the hearing official. The hearing official must make a final decision within 30 days of receipt of documentation to support the provider's appeal or documentation from the licensing authority. The hearing official must notify the provider and sponsor in writing within 5 days after final decision has been made.

If the provider does not request an appeal, the suspension process ends when the 15 days elapse and the sponsor issues a termination and disqualification letter.

ICP may **propose to terminate a daycare home for cause** when a serious deficiency occurs in the operation of the Child and Adult Care Food Program. The serious deficiencies are cited in the regulations governing CACFP at 7 CFR 226.16(I)(2)(i-ix).

1. submission of false information on CACFP applications and/or required forms;
2. submission of false claims for reimbursement;
3. simultaneous participation under more than one sponsoring organization;
4. non-compliance with the current CACFP meal pattern;
5. failure to keep required records;
6. conduct or conditions that threaten the safety of a child(ren) in care, or the public health or safety (imminent threat to health and safety);

7. a determination that the day care home has been convicted of any activity that occurred in the last seven years and that indicated a lack of business integrity;
8. failure to participate in training; or
9. any other circumstance related to non-performance under the agreement (DOH-3821), as specified by the sponsor or NYS CACFP (e.g., policies and procedures related to CACFP)

The provider will be notified of the specific type of serious deficiency and allowed a period of time to make corrective action. The notification would outline what the specific corrective action would be. If corrective action is not taken in the period of time given, the sponsor will issue a termination and disqualification letter. If the provider voluntarily terminates their agreement after receiving notification, ICP will propose to disqualify the provider from future CACFP participation.

If disqualified, the provider will be placed on the National Disqualification List. While on the list, they will not be able to participate in CACFP as a daycare home provider. In addition, the provider will not be able to serve as a principal in any CACFP sponsor or daycare facility. The provider will remain on the list until such time as the State agency determines that the serious deficiencies have been corrected, or until 7 years after disqualification. However, if any debt relating to the serious deficiencies has not been repaid, they will remain on the list until the debt has been repaid in full.

QUICK REFERENCE LIST

Sponsoring Organization: Integrated Community Planning (ICP) www.ICPOC.org

ICP Staff contact: oswegochildcare@icpoc.org Phone: 315.343.2344 ext. 112

Crediting Foods information: www.icpoc.org/forms

Child Enrollment forms: www.health.ny.gov/forms/doh-4419.pdf

Reimbursement rates: www.health.ny.gov/prevention/nutrition/cacfp/reimbrates.htm