

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 one food component for their child or adult care participant without a disability, as long as the center supplies all other required food components. Parents/guardians may choose to supply one or more food components for their child or adult care participant with a disability, as long as the center supplies at least one food component. 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.

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