**September 27, 2018 Update:** DPI Notice: Required Changes Effective October 1, 2018

Dear Family Day Care Home (FDCH) Sponsors:

This notice was discussed at the DPI CACFP Annual Training Conference on September 11, 2018 during the Family Day Care Home Sponsor meeting session. It provides an overview of the changes in the requirements for special dietary needs that take effect October 1, 2018 and outlines DPI’s trial phase plan for FDCH Sponsors’ gradual implementation of these requirements.

The following has been attached to this notice:
- **CACFP Special Dietary Needs Tracking Sheet** – with added space for provider’s name and number
- **Special Dietary Needs and the CACFP Handout** (a resource for sponsor staff and provider training)

**Section 1: Special Dietary Needs (SDN):**

1.1 **Changes in Disability-Related SDN Requirements**  

   **Resource:** [DPI’s Handout: Special Dietary Needs and the CACFP](#)

   A. Change in the Definition of “Disability” and USDA Policy Change for Programs’ Approach in making Accommodations:
   - Because most eating/digestive impairments are now considered disabilities, some child care providers may need to change their approach in accommodating children with special dietary needs. They now must approach disability-related special dietary needs in a more collaborative manner by working with parents to provide reasonable accommodations for their child’s eating/digestive impairments. **Whether the particular impairment is severe enough to qualify as a disability should not be questioned.**
   - In order to assure that children with “disabilities” *(any eating/digestive impairment)* are not denied access to healthy meals or at extra charge, child care providers must clearly communicate to parents how they *(the providers)* will offer reasonable modifications for their children’s dietary restrictions in accordance with a proper medical statement.

   B. Change in Definition of a Proper Medical Statement
   Child care providers may need to work more closely with parents to obtain a medical statement that properly supports their child’s dietary needs.

   If a medical statement is insufficient *(is not signed by a licensed health care professional who is authorized in WI to write prescriptions and/or lacks the needed information)*, child care providers must work with the parents/guardians to obtain the needed documentation so that he/she can provide appropriate and safe meals to their child. Furthermore, if the medical statement is insufficient, the child’s meals may not be reimbursable.
A proper medical statement must meet the following criteria:

(a) Be from a physician, physician assistant, or nurse practitioner with Advanced Practice Nurse Prescriber (APNP) credentials

(b) Information must provide:
   i. Sufficient information about the impairment and how it restricts the diet
   ii. Explanation of how to accommodate the condition
      → Foods to be omitted and recommended alternatives

1.2 Implementing the “One-Parent-Provided Component” Flexibility – Using CACFP Special Dietary Needs Tracking Form

USDA made a change related to parent-provided meal components with the release of the new CACFP Meal Pattern Requirements. USDA-CACFP regulation now gives Programs the flexibility of claiming meals for children 1+ years old that have one parent-provided meal component without a medical statement supporting the meal modification, as long as the parent-provided food is creditable to the meal pattern and all other required components of the meal are met by Program-supplied, creditable foods.

Key points to this flexibility are:
- The parent may only provide one meal component
- The meal component provided by the parent must be creditable to the CACFP Meal Pattern

Enabling this flexibility requires additional accountability. USDA is currently leaving it up to State agency discretion for determining the documentation required to effectively oversee agencies choosing to use the “One-Parent-Provided Component” flexibility, for ensuring they are claiming fully complaint meals.

In consideration of all SDN changes explained in 1.1 and 1.2 of this notice, DPI worked in consultation with USDA to develop a method for tracking children’s special dietary needs information in order to effectively implement the SDN changes. The CACFP Special Dietary Needs Tracking Form will be a required form starting October 1, 2018 for group child care centers, Outside of School Hours Care centers, and At-Risk Afterschool Programs.

DPI is initiating a trial phase with FDCH sponsors to gradually implement this documentation requirement. We request that all FDCH sponsors assist by testing out the use of this form during this trial phase.
- DPI will be providing an instruction/guide sheet to serve as reference for completing the form and a training tool for staff and home providers.

The next page (page 3) provides an outline of DPI’s trial phase plan.
**Family Day Care Home Sponsor Update**

September 11, 2018 CACFP Training Conference  
10:45am-12:00pm Break-out Session  
Lisa Calderone and Chrissy Nichols

<table>
<thead>
<tr>
<th>DPI's Requested Action → Implementing Special Dietary Needs Changes</th>
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<tr>
<td>Start making the following changes for implementing the trial phase to take effect October 1, 2018 (in accordance with both 1.1 and 1.2 above)</td>
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<tr>
<td>The term “SDN” refers to both disability-related and non-disability-related special dietary needs, including “one-parent-provided component” cases.</td>
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1) Update Sponsor SDN forms and materials containing SDN information  
2) Train monitors (and other staff) on the changes and use of DPI's CACFP Special Dietary Needs Tracking Form  
3) Test the use of DPI's CACFP Special Dietary Needs Tracking Form

<table>
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<tr>
<td><strong>I. During the 1st round of home visits (Oct-Dec 2018)→</strong></td>
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<tr>
<td>a) <strong>Monitors:</strong> Train providers on the changes (both 1.1 and 1.2 above) and how to complete the CACFP Special Dietary Needs Tracking Form</td>
</tr>
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</table>
| b) **Providers:** Start changes immediately after their 1st home visit  
  i. Complete the form for each child who has any SDN, both disability-related SDN and non-disability related SDN, which includes those who have one parent provided component.  
  ii. Submit the completed forms to their Sponsor |
| c) **Sponsors:**  
  i. Review the submitted forms for missing or incorrect information  
  ii. Contact providers to discuss missing or incorrect information  
  iii. Keep notes on specific problems and concerns encountered |
| **II. January 2019:** |
| a) Sponsors provide feedback to DPI (Method to be determined-by conference call, email, survey document)  
  b) DPI and Sponsors collaborate on any FDCH customized needs for the form |

**III. March 1, 2019:**  
Full Implementation
CACFP Programs must complete this form for each participant accommodated for a disability or non-disability special dietary need. Keep this form and documentation, as specified below, on file.

**Section I: Disability** - Complete when a participant has a disability that restricts eating and/or feeding

**Section II: Non-disability special dietary need** - Complete when a participant’s parent/guardian requests meal substitutions for non-disability reasons

Provider’s Name: ___________________________ Provider #: ___________

Child’s Name ___________________________ Date form completed _____________

### Section I: Disability

*Complete this entire section and then select if meals can or cannot be claimed at the bottom.*

- **☐** Participant has a physical or mental impairment that substantially limits one or more major life activities
  - ✓ Major life activities include eating, breathing, digestive, and respiratory functions, etc.
  - ✓ Most physical and mental impairments will constitute a disability, it does not need to be life threatening
  - ✓ Ex. Lactose intolerance is a physical impairment of the digestive function; it does not have to cause severe distress

- **☐** Attached is a written medical statement from a State licensed healthcare professional (physician, physician assistant, or nurse practitioner (APNP)) that provides:
  - ✓ Information about:
    1. The impairment (reason for request)
    2. How it restricts the diet
    3. How to accommodate the impairment
  - ✓ For food allergy, statement should have three essential components:
    1. The food(s) to be avoided (allergen)
    2. Brief explanation of how exposure to the food affects the participant
    3. Recommended substitution(s)

- **☐** List substitution(s)/modification(s) offered by the program that effectively accommodates the disability:
  - ✓ Substitutions or modifications offered must accommodate the participant, but do not have to be the exact modification requested

- **☐** Choose One:
  - **☐** Parent/guardian accepts program’s accommodation(s)
  - **☐** Parent/guardian declines program’s accommodation(s) and chooses to provide: ________________

### Claiming Meals Determination

- **☐** Claim meals:
  - ✓ Section I of this form, including all applicable documentation, is complete and on file
  - ✓ Program has made reasonable modification(s) to accommodate the disability
  - ✓ Program provides the modification(s), or parent/guardian has elected to provide the modifications(s), and the program is providing at least one component

- **☐** Do not claim meals:
  - ✓ Parent/guardian has elected to provide all foods; the program is not providing any component
Section II: Non-disability special dietary need request

Meal substitutions for non-disability reasons must be documented below. A parent/guardian may choose to provide one creditable component towards a reimbursable meal for a non-disability special dietary need.

Complete this entire section and then select if meals can or cannot be claimed at the bottom.

☐ Participant’s non-disability special dietary need (check all that apply):
  ☐ Religious ☐ Ethnic ☐ Lifestyle preference (circle: vegetarian, organic) ☐ Other: ______________________

☐ Attached is a written statement from the parent/guardian that:
  ✓ Identifies the non-disability special dietary need, including foods not to be served and allowable substitutions
  ✓ A statement that the parent/guardian chooses to provide foods (if applicable)

☐ List specific food item(s) substituted by Program:
  ✓ Programs must ensure that food substituted meet meal pattern requirements
  ✓ If a food substitution does not meet meal pattern requirements, do not claim that meal/snack

1. ______________________  CACFP creditable: ☐ Yes ☐ No
2. ______________________  CACFP creditable: ☐ Yes ☐ No
3. ______________________  CACFP creditable: ☐ Yes ☐ No
4. ______________________  CACFP creditable: ☐ Yes ☐ No

☐ List specific food item(s) provided by parent/guardian:
  ✓ Programs must ensure that food provided by parent/guardian meet meal pattern requirements
  ✓ If a parent provides a food substitution that does not meet meal pattern requirements, do not claim that meal/snack

1. ______________________  CACFP creditable: ☐ Yes ☐ No
2. ______________________  CACFP creditable: ☐ Yes ☐ No
3. ______________________  CACFP creditable: ☐ Yes ☐ No
4. ______________________  CACFP creditable: ☐ Yes ☐ No

Is it creditable?

Non-dairy milk products NOT creditable to the CACFP meal pattern include cashew, rice, almond, coconut, oat, or soy milks that are not nutritionally equivalent to cow’s milk. When served for a non-disability special dietary need, meals cannot be claimed.

Meatless substitutes made from alternate protein and/or textured vegetable protein ingredients may only credit to the CACFP meal pattern with a Child Nutrition (CN) Label or Product Formulation Statement.

Claiming Meals

Claim meals when:
  ✓ Section II of this form is complete and on file
  ✓ Parent/guardian provides no more than one component at a meal or snack
  ✓ Food(s) substituted by the parent or program are creditable to the meal pattern (creditable means foods count toward meeting meal pattern requirements)
  ✓ Program provides all other required components and all foods are creditable to the meal pattern

Do not claim meals when:
  ✓ Parent/guardian provides more than one component
  ✓ Non-creditable food(s) are served

Check meal(s) that can be claimed:
  ☐ Breakfast  ☐ Lunch/Supper  ☐ Snacks

This institution is an equal opportunity provider.
Special Dietary Needs and the CACFP

USDA requires Programs make reasonable modifications to accommodate participants with disabilities to provide equal opportunity to participate. This is required only when supported by a written medical statement from Wisconsin Licensed Healthcare Professional: Physician, Physician Assistant, or Nurse Practitioner (APNP).

**What is a disability?**
Physical or mental impairment that substantially limits one or more major life activities (includes eating, breathing, digestive and respiratory functions, etc.). Most physical and mental impairments will constitute a disability, it does not need to be life threatening.
Ex. Digestion is impaired by lactose intolerance, whether or not consuming milk causes severe distress.

**What is NOT a disability?**
Eating certain foods or eliminating foods from the diet due to a general health concern and/or preference.
Ex. Request that a participant does not drink cow’s milk because of a preference, not because the participant has lactose intolerance.

**DISABILITY**

Supported by a valid written medical statement

Program must offer a reasonable modification* that effectively accommodates the participant’s disability & provides equal opportunity to participate in CACFP

Modification(s) may or may not meet CACFP meal pattern requirements

Meals are reimbursable (whether or not the CACFP meal pattern is met)

*Reasonable Modification:
- Related to disability or limitations caused by disability
- Determinations for how to accommodate a participant must be made on a case-by-case basis
- Saying ‘no’ to providing a modification is almost never appropriate
- Not required to provide exact substitution or other modification requested. For ex., not required to provide a particular brand name, but must offer a substitute that does not contain the specific allergen

Effectively accommodate ALL participants with the same type of disability: Design a plan to accommodate common disabilities. Many can be managed within CACFP meal pattern when a variety of foods is available. Examples:
- Offer one type of lactose-free milk to accommodate lactose intolerance. This effectively accommodates lactose intolerance, thus meets the requirement for a reasonable accommodation
- Have a variety of fruits on hand, so participant’s with an allergy to a particular fruit can be served a different fruit

**Written Medical Statement Must Provide:**
Information about:
1. The impairment (reason for request)
2. How it restricts the diet
3. How to accommodate the impairment

For food allergy, statement should include:
1. The food(s) to be avoided (allergen)
2. Brief explanation of how exposure to the food affects the participant
3. Recommended substitution(s)

Seek clarification if statement is unclear or lacks sufficient detail so that a proper and safe meal can be provided

Must be from a WI Licensed Healthcare Professional: Physician, Physician Assistant, or Nurse Practitioner (APNP)

**Examples of Medical Statements**

**ACCEPTABLE:**

<table>
<thead>
<tr>
<th>STATEMENT</th>
</tr>
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<tbody>
<tr>
<td>Cal is lactose intolerant and cannot drink cow’s milk. He should be served almond milk.</td>
</tr>
<tr>
<td>Dr. Dan Physician</td>
</tr>
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</table>

**NOT ACCEPTABLE:**

<table>
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<th>STATEMENT</th>
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<tr>
<td>Serve Sam almond milk.</td>
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**Disability not supported by a valid medical statement:**
Programs may choose to accommodate requests related to a disability not supported by a valid medical statement from a WI Licensed Healthcare Professional if the requested modifications can be made while meeting CACFP meal pattern requirements. Such meals are reimbursable.
**NOT A DISABILITY**  
(Non-disability special dietary need request)

Request is not supported by a valid written medical statement or request is for religious, ethnic or lifestyle preference (vegetarian, organic)

Request is supported by a written statement from the parent/guardian

Programs are not required, but may choose to accommodate requests

**Examples of non-disability special dietary need requests:**

<table>
<thead>
<tr>
<th>Non-dairy milk substitute not nutritionally equivalent to cow's milk</th>
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<tbody>
<tr>
<td>Includes cashew, rice, coconut and almond milk</td>
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- Not creditable
- When served, meals and snacks cannot be claimed for reimbursement

- Programs may choose to supply creditable food(s) and/or a creditable beverage substitute. Meals and snacks can be claimed for reimbursement
- Parents may choose to provide ONE creditable component; the Program must supply all other components with creditable foods. Meals and snacks can be claimed for reimbursement

**Ethnic, religious, vegetarian**

- Request is supported by a written statement from the parent/guardian
- Request is not supported by a valid written medical statement or request is for religious, ethnic or lifestyle preference (vegetarian, organic)

**Meal accommodation(s) that meet CACFP meal pattern requirements are reimbursable**

**Meal accommodation(s) that do not meet CACFP meal pattern requirements are not reimbursable**

**Call or email your consultant when you have a question about special diet needs**

This institution is an equal opportunity provider.

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**Written Statement from Parent/Guardian:**

1. Identifies the non-disability special dietary need, including foods not be served and allowable substitutions
2. May include a statement that the parent/guardian chooses to provide foods (if applicable)

**Accommodate requests within the meal pattern:**

In many cases, requests can be managed within meal pattern requirements when a well-planned variety of foods is available. Examples:

- Offer one type of creditable soymilk to accommodate participants requesting a non-dairy beverage. Because this modification is creditable, the meal meets CACFP requirements and is reimbursable
- Accommodate vegetarian eaters by serving creditable meat alternates

**Special Dietary Needs Tracking Form:**

1. Complete for each participant accommodated with a disability or non-disability special dietary need
2. Keep form and documentation, as specified, on file

*Find in Guidance Memorandum 12*

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**Parent Provided Component:**

A parent/guardian may choose to provide one creditable component towards a reimbursable meal for a non-disability special dietary need:

- Religious
- Ethnic
- Lifestyle preference (organic, vegetarian)
- Other
  - Health reason not supported by a valid written medical statement

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**CACFP Special Dietary Needs Tracking Form**

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**Special Dietary Needs Tracking Form:**

1. Complete for each participant accommodated with a disability or non-disability special dietary need
2. Keep form and documentation, as specified, on file

*Find in Guidance Memorandum 12*
Special Dietary Needs and the CACFP

What to Do Next:

Designate Responsible Staff
- Designate staff responsible for managing all special dietary needs. This point person will ensure:
  - Valid documentation is on file for participants with disabilities and participants’ needs are met
  - Meals/snacks for non-disability special dietary needs meet CACFP meal pattern requirements
  - Only creditable meals/snacks for non-disability special dietary needs are claimed for reimbursement

Obtain Appropriate Documentation
- Special Dietary Needs Tracking Form complete for each participant with a disability or non-disability special dietary need request
- Disability: Written medical statement for physical or mental impairment that substantially limits one or more major life activities. Must be signed by a Wisconsin Licensed Healthcare Professional (Physician, Physician Assistant, Advanced Nurse Practitioner (APNP))
- Non-disability special dietary need: Written statement from parent/guardian for special dietary request

Train Staff on Accommodating Disabilities
- Inform staff that all meals/snacks must meet CACFP meal pattern requirements.
- Participants with a disability that affects the diet must be accommodated. It is vital to follow the directive of a written medical statement to ensure the safety of a participant.
- Kitchen staff must know how to properly manage special dietary needs and make substitutions (ex. know appropriate food substitutions, reading labels for food allergens).
- Classroom staff must inform the designated staff responsible for managing special dietary needs when a parent/guardian brings in a food/beverage to the classroom so the request can be handled appropriately.
- Staff completing meal counts must know that meals/snacks CANNOT be claimed when:
  - A participant is served a meal or snack that does not meet meal pattern requirements unless the participant is being accommodated for a disability that is supported with a written medical statement
  - A participant is served non-creditable food item(s) provided by the Program or the parent/guardian
  - A participant is served more than one component supplied by the parent/guardian
  
  Examples:
  - Non-creditable milk substitute is provided by Program or parent/guardian
  - Parent/guardian provides two components of a meal, ex. the grain and meat alternate
  - Parent/guardian provides a non-creditable component, ex. non-creditable meatless substitute

Menu Evaluation
- Review menus and determine if your program will design a meal plan within the CACFP meal pattern to accommodate common disabilities or other non-disability requests. Examples:
  - Offer lactose-free milk to accommodate participants with lactose intolerance
  - Offer a creditable non-dairy milk substitute nutritionally equivalent to cow’s milk
  - Offer a daily vegetarian option