



FDCH Sponsor CACFP COVID-19 Questions and Answers

Below are answers to common questions related to the CACFP during COVID-19. Questions that are highlighted have either been added or updated. Click on a heading topic under the Table of Contents below to find information about a specific area. **(Updated 9/2021)**

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[Non-congregate Feeding Waiver Questions: Distributing Meals Off-site](#) (Questions 1-18)

Includes Meal Service Time Flexibility and Parent Pick-up of Meals Waivers

The intent of the Non-Congregate Feeding Waiver is to distribute meals to children when meals cannot be served onsite due to COVID, for example when the provider is closed due to a COVID outbreak or children are quarantined in their own homes due to COVID exposure or illness. Off-site meal distribution must be discontinued once the provider has re-opened, and children have returned for care. DPI expects these waivers to be used only for the duration and the extent they are needed.

1. Do providers need to submit a waiver request to distribute meals off-site to their enrolled children?

Yes. Providers must submit a waiver request to distribute meals off-site to their enrolled children.

Effective July 1, 2021, **providers who previously submitted waiver requests will need to re-submit them** to continue distributing meals off-site to their enrolled children. Furthermore, the provider waiver request for distributing meals off-site must include a waiver request for the *Meal Service Time Flexibility Waiver* as well as the *Parent Pick-up of Meals Waiver* if families are picking up meals at the provider's home.

- The *Meal Service Time Flexibility Waiver* allows meals distributed off-site to be served outside of their regular mealtimes AND allows providers to distribute multiple meals at one time. Providers must submit this waiver request along with their waiver request to distribute meals off-site; these two waivers go together.
- The *Parent Pick-up of Meals Waiver* allows providers to distribute meals off-site through pick-up by family members on behalf of their enrolled children. Providers must submit this waiver request when they will be distributing meals off-site through pick-up methods, along with their requests for meal service time flexibility and distributing meals off-site; these three waivers go together.

2. Can a provider claim meals distributed off-site outside of their normal operation (i.e., additional meal types, days, etc.)?

No. Providers may only claim meals distributed off-site for their normal operation (*as indicated on their regulation for hours of care.*)



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Examples:

- If licensed to operate only Monday through Friday, the provider cannot claim meals distributed off-site for Saturday and Sunday. This includes planned closures, i.e., during holidays.
- If the provider does not normally serve a meal type to children in care, for example supper, they must not claim suppers distributed off-site.

For questions 3-8, children normally in care are those who would be in attendance had it not been for COVID-19.

3. Can providers claim meals served by a combination of on-site and off-site methods?

Yes. Providers must be approved to distribute meals off-site by submitting a waiver request to their sponsor. See scenarios below.

- Providers may claim meals served on-site to children in attendance as well as meals distributed off-site (*by pick-up or delivery*) to children who normally would be in care, but are not due to COVID-19 (i.e., in quarantine, parent's exposure concerns, etc.)
- Providers who have limited their hours of operation due to COVID-19 may claim meals served on-site while they are open, and meals sent home with children that would have been typically served had they not been closed. For example, if the provider closes early, before they typically serve a PM snack, they may claim breakfast and lunch served while in care and PM snack sent home with the children.
 - Providers must ensure the children do not receive the same meal/snack on-site and off-site. For example, a child may not receive an on-site and off-site lunch on the same day.

4. Can sponsors reimburse for meals exceeding the provider's capacity when they are distributing some or all of these meals off-site?

Yes. However, the children being served meals off-site must be those who normally would be in care, but are not due to COVID-19, i.e., in quarantine, parent's exposure concerns, etc. Since the children being served meals off-site are not under the provider's license or certificate, the number of meals claimed could go over their regulation's capacity but should not be excessive.

5. Can a provider enroll new children while their daycare is closed for distributing off-site meals to them?

No. New children cannot be enrolled only for the sake of distributing off-site meals to them.

6. Can a provider supply off-site meals to other family members, like siblings and adults, and be reimbursed for these meals?

No. If a provider chooses to supply meals to other household members of their enrolled children (ex. parents, caregivers, siblings), the provider may **only claim meals supplied to their enrolled children normally in care.**

The provider must not claim meals served to any other individuals than their enrolled children.

7. When a provider is supplying meals to their enrolled children off-site, are they required to offer off-site meals to all their enrolled children, including for infants?

Yes. Providers must offer to supply meals off-site for all of their enrolled children who would normally be in care. Providers cannot discriminate by offering to provide meals to some children and not others. However, families may decline the provider's offer to supply meals for their children.



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Also, if a family usually supplies infant formula and/or breast milk for their infant and the infant is only developmentally ready for formula and/or breast milk, the provider is not obligated to supply formula for this infant's meals.

8. Can providers supply meals off-site to their enrolled children normally in care regardless of their parents are working from home or are home due to lay-off as a result of COVID-19?

Yes. The employment status of the children's families does not impact their eligibility to receive off-site meals.

9. Can a provider claim meals for infants serving only breast milk and/or parent-supplied formula at home?

No.

10. Can a provider claim for meals served to her own children when serving meals to her other non-residential enrolled children off-site?

Yes. If the provider's own children are eligible, she can claim their meals if she is supplying the same meals to other non-residential enrolled children off-site. This rule is not different for serving on-site and off-site meals.

11. Can a provider claim her own children's meals if her childcare is closed and the parents of her non-residential enrolled children declined her offer to supply meals off-site?

No. If meals are not served to other non-residential children (either off-site or on-site), she cannot claim for her own children's meals.

12. Can the provider claim for meals if prepared, but not picked up by the enrolled children's family?

No. The provider may only claim meals for enrolled children when they are actually provided to or picked-up by the family.

13. UPDATED 9/2021 What are the requirements for initiating home meal delivery for a household?

Providers must obtain written consent from their enrolled children's family that they want to receive delivered meals (this could include email or other electronic means) that the household wants to receive delivered meals. In addition, providers should confirm that they have the family's current contact information (*home address*) to ensure meals are delivered to the correct location. It is critical that providers protect the confidentiality of participants and their households throughout this process.

14. Do the enrolled children need to be present for home meal delivery?

No. As long as the provider has obtained the family's written consent to deliver meals and has verified their current address, the enrolled children do not need to be present at the time of delivery. If the meals are shelf stable, no one needs be present, as long as the current address has been verified. Providers should consider State and local food safety requirements and best practices.

15. How many meals can be distributed at one time and how can a provider supply multiple days of meals to children?

Meals may be provided **up to one week at a time**. When distributing multiple meals, providers must consider:

- Whether households have access to refrigeration, stoves, microwaves, etc., when providing food that requires refrigeration or further preparation, such as reheating; and



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- Providing foods that require only minimal preparation (i.e., food is not provided as ingredients for recipes that require chopping, mixing, baking, etc.)

Meals may be distributed in the following ways:

- **Unitized:** each meal component for each meal is portioned out for each child **OR**
- **Non-unitized:** bulk items supplied for a specified number of meals. Providers must provide the following:
 - Foods, including all required meal components in the minimum amounts for each meal being claimed;
 - A menu for each meal with directions for which items to use for each meal and the portion sizes; and
 - Instructions on preparation and food safety

Refer to [Providing Multiple Meals at a Time During the COVID-19 Pandemic](#) for tips.

16. What food safety practices must be followed when serving foods that are not shelf-stable off-site (when delivering to homes or providing meals for pick up)?

The provider must take steps to keep cold foods at or below 40°F and hot foods at or above 150°F while storing meals for pick-up and/or transferring meals to families. This includes while in the vehicle for transporting meals to the enrolled children's homes (either when delivered by provider or during the ride home if the family picks up the meals).

Providers must also give instructions to families on how to store and prepare the meals. This includes storing food below 41°F (or kept frozen below 0°F, if applicable) and on heating food to an internal temperature of 165°F. Refer to the [Food Safety Tips](#) for more information.

If a provider has food safety concerns about sending meals home, they should reassess their options for supplying the meals, foods on the menu, storage method, delivery versus pick-up, etc. If the required foods and beverages to meet the meal pattern are not served to the enrolled children due to food safety concerns, the meals cannot be claimed.

17. **UPDATED 9/2021** What types of foods may be sent home to families?

A variety of different types of foods may be sent home (i.e., fresh, frozen, canned, shelf-stable, etc.) as long as the foods are 1) creditable to the meal pattern, and 2) the provider includes clear cooking, storage, and food safety instructions with the meals. Providers should consider the following:

- Because raw animal-based food items, such as raw chicken, raw eggs, raw beef, etc. are high risk for cross-contamination and causing food-borne illness, **it is strongly advised to not send them home to families.**
- Store-bought combination foods (i.e., precooked chicken nuggets) and entrees like frozen lasagna, macaroni and cheese, and other pre-made dinners **are not creditable unless** they have a Child Nutrition (CN) label or the manufacturer's product formulation statement for crediting information.
- For food safety information to include with the foods, refer to question #16.

18. What type of documentation do providers need to keep for serving meals off-site (besides submitting a waiver request)?

Providers must continue recording menus and meal counts of meals/snacks served to each enrolled child. When providing multiple meals/snacks or multiple days of meals/snacks at one time, they must keep these required records for each date.



Providing Meals On-site Questions (Questions 19-21)

19. UPDATED 9/2021 Can a provider receive meals from a sponsor participating on the Summer Seamless Option (SSO)?

Effective at the beginning of the school year 2021-2022, providers participating in the CACFP must remain in CACFP and cannot receive meals through the SSO program operated by School Food Authorities (SFA) or other approved sponsors.

20. Can a school or other childcare facility participating in USDA's Child Nutrition Programs donate food or milk to a provider?

No, unless the provider has federal tax-exempt status under section 501(c)(3) of the Internal Revenue Code (IRS).

21. Are providers required to serve meals pre-plated style instead of family-style in order to reduce the spread of COVID-19?

The CACFP requires providers to follow sanitation and safety guidance issued by State and local health authorities on measures to be taken for reducing COVID-19 exposure. The Department of Children and Families (DCF) provides guidance on this specific topic. Refer to the *Safe Meals and Snack Time* section of [Guidelines for the Prevention, Investigation, and Control of COVID-19 Outbreaks in Child Care Settings](#) (on DCF's COVID-19 webpage [Child Care Information for Providers](#)), which recommends not serving family style meals and not sharing utensils/serving tools.

When serving foods pre-plated, an adult must individually serve each component in at least the minimum serving size on the plate and in the cup for each child receiving a meal. Refer to [Meal Service Styles: CACFP Requirements](#) for more information on serving pre-plated meals.

Meal Pattern Waiver Questions (Questions 22-28)

Providers must submit a waiver request to their sponsor for approval of one or more of the following requirements:

- (1) That at least one grains serving per day must be whole grain rich,
- (2) That the crediting of grains by ounce equivalents must be fully implemented by October 1, 2021, and
- (3) That low-fat (1 percent) milk must be unflavored (Only children 6 years and older may be served flavored milk).

The waiver may only be utilized when safe access to meals cannot be provided and/or food cannot be obtained for CACFP participants. DPI expects this waiver to be used only for the duration and the extent they are needed.

22. Can the FDCH sponsors approve waiver requests for the three CACFP requirements listed above at the same time in anticipation of having issues?

No. Meal pattern flexibility waivers can only be approved for one or more of the requirements listed above and currently experiencing issues. This cannot be in anticipation of an issue occurring.

23. Do providers need to submit a waiver request each time they experience issues they previously received approval for?

No. Once the FDCH sponsor has approved a provider's waiver request, the provider does not have to submit another waiver request for that same issue when experiencing recurrences.



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24. UPDATED 9/2021 Are providers required to accommodate special dietary needs (SDN) during COVID-19?

Yes. Providers must still accommodate children with disability-related SDN. USDA does not have the authority to waive this requirement. When planning a non-congregate meal service, home sponsors and providers should consider how individuals who require meal modifications will be identified and served.

25. Can providers serve non-creditable foods in place of creditable foods since some foods that are normally served cannot be purchased or are limited?

No. Sites cannot serve non-creditable foods (i.e., grain-based desserts, chips, etc.) in place of creditable foods. During this public health emergency, it is even more important that sites serve healthy meals and stay as close to the nutritional guidelines as possible.

26. Are providers still required to provide a variety of foods on menus during COVID-19?

No. There are no federal requirements to rotate menu items; however, it is recommended to serve a variety of foods to the extent possible.

27. UPDATED 9/2021 If a provider chooses to supply meals to all family members of their enrolled children, can the Meal Pattern Waiver be used if the provider cannot find enough food for the entire family?

No. The waiver cannot be used when a provider cannot find enough food or CACFP food components for an entire family. The waiver may only be utilized when safe access to meals cannot be provided and/or food cannot be obtained for CACFP participants. Serving meals to an entire family is outside of the CACFP and cannot be the reason cited for unavailability of foods. The site may **only claim meals supplied to the participant(s) enrolled in the program**. Meals served to individuals not enrolled in the CACFP must not be claimed.

28. What if stores are limiting certain items (e.g., store limits on products, lack of proteins/meat, accessing cleaning and disinfecting products, etc.)?

The current meal pattern waiver only applies to specific CACFP requirements outlined in the [nationwide waiver](#). For any food items or supplies being limited by a store, it is suggested to reach out to grocery store owners and managers to make them aware of your needs. Check out the [Connecting with Your Local Grocery Store](#) handout for talking points and tips to use when talking with your local grocer. Providers should contact their home sponsor if unable to obtain required meal components.



Monitoring Questions (Questions 29-36)

DPI's [CACFP FDCH Off-Site Monitoring Guide](#) summarizes the monitoring requirements for FFY 2021 and FFY 2022. Use this guide for direction on review components, documentation, and discretion within staff monitoring policies and procedures.

29. What if FDCH sponsors cannot meet the monitoring requirements for each of their providers by the end of FFY 2021 (9/30/21)?

Monitoring Requirements:

- 3 home visits per year;
- 2 of 3 home visits must be unannounced;
- 1 unannounced must include a meal observation;
- Home visits of new providers in first 4 weeks; and
- No more than 6 months between home visits

USDA recently approved DPI's monitoring requirements waiver request for allowing sponsors to not meet one or more of these requirements (listed above), if unable to do so because of COVID-19. Sponsors are expected to take other oversight steps to ensure program integrity with providers for whom they are not able to meet the requirements.

Other oversight steps may include, but are not limited to:

- Giving individual technical assistance to providers (keeping record of when it was given, what topics were covered, resources provided, the outcome, etc.)
- In addition to the FDCH sponsor's annual home study:
 - Having providers submit completed requirements checklists or self-assessment surveys for the sponsor's review and feedback
 - Making other technical assistance and training efforts
- Completing partial home visits
- Conducting detailed claim reviews

This waiver is in effect through 9/30/2021. After 10/1/21, FDCH sponsors must meet all monitoring requirements for all providers using onsite or off-site methods.

FDCH sponsors not able to meet the monitoring requirements listed above because of COVID-19 will be expected to submit information on how they used this waiver, which may include: a summary of other oversight steps taken to monitor providers, providers impacted by this waiver, and impact on records necessary to administer the Program. Keep track of this information for submitting to DPI upon request.

30. Will off-site methods for completing home visits be allowed in FFY 2022 (October 1, 2021)?

Yes, off-site home visits will be permitted until 30 days after the end of the public health emergency, which was declared on January 31, 2020, by the United States Department of Health and Human Services. Sponsors may complete onsite home visits, as allowed by their agency's policies and the provider's local health authority.

31. When completing home visits by off-site methods, how should the 5-day reconciliation be completed if the provider's childcare were closed, and they are serving meals off-site? (DCF attendance records are not required when the provider's operation is closed.)

Reconcile the provider's meal counts to childcare attendance records by selecting the most recent 5-consecutive day period when the provider was still open and caring for her enrolled children.



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32. Is there flexibility in how monitors complete unannounced off-site home visits?

Yes. Use DPI's guidance provided within the DPI's [CACFP FDCH Off-Site Monitoring Guide](#) for setting ground rules on what comprises an unannounced visit.

33. How should FDCH sponsors monitor providers who are using the Non-congregate Feeding and Meal Pattern Flexibility waivers?

USDA has not issued guidance on how to monitor providers who are using these waivers. The following provides suggestions for monitoring these providers:

- For providers approved for the meal pattern flexibility waiver, check their menus for whether they are consistent with their approved waiver.
- For providers approved for the Non-congregate Feeding waiver:
 - Monitor claims for abnormal patterns (i.e., large # of newly enrolled children, substantial increase in reimbursement)
 - During home visits, assess reasonableness based on the provider's explanation of their process for distributing meals off-site.

Examples of questions to discuss: how meals are distributed; which kids receive off-site meals; are multiple meals distributed at one time, if so how many; are meals unitized or bulk foods; are meals reasonable for preparation and sanitation; are menus/instructions on storage, preparation, and portions sizes given; are they recording meal counts correctly; obtaining written consent from families receiving delivered meals, etc.)

If detecting abnormal claiming patterns or have concerns during home visits, review support records, such as:

- Families' written requests/address confirmations for receiving delivered meals
- Provider's plan for meal pick-up
- Check-off sheets of children who have received meals
- Provider's menus to verify that meals claimed seem realistic for off-site distribution
(If in question, the sponsor could request more information, like the provider's storage, preparation, and serving instructions being given out with meals to families.)
- Household contacts

34. What if the FDCH sponsor falls below the monitoring ratio requirements based on the monitoring ratio information submitted within their FFY 2022 contract renewal?

FDCH sponsors should not submit updated monitoring ratio information within their FFY 2022 contract.

35. Should staff be completing time studies to document time spent on monitoring tasks while COVID-19 restrictions have limited monitoring activity?

Sponsors should not complete time studies until monitoring activity resumes to a more normal level OR after the 30-day period following the end of the federally declared public health emergency (when on-site monitoring must resume), whichever occurs first. Time study information completed during the pandemic may not accurately represent the amount of time spent on monitoring tasks during normal operations.

36. Do FDCH sponsors need to upload their policies and procedures for implementing COVID-19 related changes into the contract for FFY2021?

No. DPI staff will review these policies and procedures during the administrative reviews that will be completed during FFY 2022. However, if the sponsor would like DPI's feedback or technical assistance on their policies and procedures, they may request for input from their assigned consultant.



Tiering (Questions 37-42)

37. Can all providers be reimbursed at the Tier 1 reimbursement rates for all meals and snacks?

Yes. The Nationwide waiver COVID-19 Child Nutrition Response #93 waives the area eligibility requirements for family day care home providers effective July 1, 2021, through June 30, 2022. It waives the definitions of “Eligible area,” “Low-income area,” and “Tier 1 day care home,” with regard to area eligibility determination defined in CACFP regulations. Therefore, it allows all providers, regardless of their location, to receive Tier 1 reimbursement rates for all meals and snacks.

This waiver does not apply to the income eligibility requirements for claiming Provider’s Own children. FDCH sponsors must distribute the [2022 Provider Letter](#) and [Household Size-Income Statement for Provider’s Own/Residential Foster Children](#) to their providers to complete and return for this upcoming year’s eligibility determinations of their own children.

38. Must providers submit verification documents with their Household Size-Income Statement (HSIS) for determining their eligibility to claim their own children’s meals?

Verification documents are currently not required for determining eligibility of Provider’s Own children.

39. Can providers decline the option of being paid at Tier 1?

Yes. Obtain documentation from the provider they are declining the Tier 1 rates for this year.

40. Can a provider qualify their own children for meals based on the prior month’s income even if it does not reflect their average yearly income?

Yes. The provider may submit a completed HSIS reporting one month’s worth of income for determining whether their own children are eligible.

41. Must providers report stimulus payments from the CARES Act and Consolidated Appropriations Act 2021 as income on HSIS for determining eligibility to claim their own children’s meals?

No. COVID-related stimulus payments do not count as income for determining eligibility.

42. Must providers report weekly unemployment insurance payments from the CARES Act and Consolidated Appropriations Act 2021 as income on HSIS for determining eligibility to claim their own children?

Yes. Any income received from unemployment benefits count for determining eligibility.

Provider Claims/Reimbursement (Questions 43-46)

43. Can providers be reimbursed for more than two meals and one snack or two snacks and one meal per child per day during COVID-19?

No. The maximum number of meals or snacks that can be claimed for Federal reimbursement per child per day remains the same as under regular CACFP operation.

44. Can providers be reimbursed for meals served to children over the age of 12 years?

No. Only children through 12 years can be claimed, **unless** they have a disability that is supported by valid documentation (school’s IEP).



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45. What documentation is required from a provider serving meals outside of their regulation limits, in order for the sponsor to pay the provider for these claimed meals?

Providers must have approved exception requests from their regulators which grant permission to care for these children. They must submit copies of these approved exception requests to their sponsor in order to receive CACFP payment for these children's meals.

46. Will there be any disruptions in CACFP meal reimbursement for provider payments?

There is currently no change to the DPI claim processing and payment schedule. FDCH Sponsors must continue to pay meal reimbursement claims to providers within 5 days of receiving the funds from DPI.

Sponsor Claims/Reimbursement (Questions 47-48)

47. Will additional CACFP funding be available to recover for losses incurred during COVID-19?

Yes. Under the authority of the Child Nutrition Program Emergency Operational Costs Program, eligible home providers and FDCH sponsors may receive reimbursement for emergency operating costs they incurred during the pandemic.

48. May Child Nutrition Program operators that have received a loan through the Paycheck Protection Program (PPP), made available through the Small Business Administration and qualified lending partners, use CACFP Program funds received from the State (Child Nutrition Program Federal funds) to pay back a PPP loan?

Congress authorized the Paycheck Protection Program (PPP) through the CARES Act and Consolidated Appropriations Act, 2021 to help businesses facing extenuating circumstances due to the COVID-19 pandemic to cover their payroll expenses. Some sponsors have used PPP funds to pay for Child Nutrition Program labor expenses.

Under certain circumstances, a PPP loan may be forgiven.

- **If the PPP loan is forgiven:** Any Child Nutrition Program expenses paid for using those forgiven PPP funds may not be claimed using Child Nutrition Program funds since they have *already* been paid with another source of Federal funding.
- **If the PPP loan is not forgiven:** Child Nutrition Program funds may only be used to repay that portion of the loan which was used to cover allowable Child Nutrition Program expenses. This is consistent with existing guidance outlined in FNS Instruction 796-2 Rev. 4 (refer to heading titled *Costs Funded From Other Sources and Under Recovery of Costs*). Program operators using Child Nutrition Program funds to repay any portion of a PPP loan must fully document such repayments, be able to demonstrate that funds were properly allocated, and that such repayments were limited to the portion of the loan that was used to cover allowable expenses under the Child Nutrition Programs. In most circumstances, FNS anticipates that the same payroll cost allocation used by the program operator under normal procedures will continue to apply when considering PPP repayments, though exceptions may occur.

However, please note that interest due in connection with a PPP or other loan repayment is not an allowable cost and may not be paid using Federal Child Nutrition Program funds, per requirements at 2 CFR 200.449(a). Program operators are further reminded that Child Nutrition Program funds may only be used to pay for allowable Child Nutrition Program expenses. For any portion of a PPP loan that was used to pay for non-Program expenses, Child Nutrition Program funds may not be used for repayment.