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This guidance memorandum explains the CACFP requirements for accommodating special dietary needs that are the result of a disability as well as those that are non-disability requests. It includes the documentation requirements and criteria for claiming meals for children with special dietary needs.

**Training**

[CACFP E-Learning Course](#): *Special Dietary Needs Requests* lesson

**Resources**

- [Special Dietary Needs and the CACFP](#): Provides an overview of requirements on how to accommodate special dietary needs in the CACFP and includes a *What to Do Next* checklist.
- [Special Dietary Needs Tracking Form](#): **REQUIRED** - CACFP sponsor staff must complete the *Special Dietary Needs Tracking Form* for each child served meals that vary from the provider’s menus. This is required to:
  - Document accommodations made to meals
  - Demonstrate the provider is offering children with disabilities a modification that effectively accommodates the disability
  - Ensure substitutions for non-disability special dietary requests meet meal pattern requirements

Go to the [Sponsor Responsibilities](#) section in this GM for further instructions on completing the *SDN Tracking Form*.

## DISABILITIES

Providers must make reasonable modifications to meals/snacks, including providing special meals at no extra charge, to accommodate disabilities that restrict a child's diet.

### **What is a Disability?**

A disability is a physical or mental impairment that substantially limits one or more "major life activities" including caring for oneself, performing manual tasks, eating, breathing, digestive, bowel and bladder, neurological, respiratory, circulatory, and endocrine functions.

- Most physical or mental impairments will constitute a disability, it does not need to be life threatening. It is enough that the impairment limits a major life activity.

**Example:** Digestion is a major life activity; therefore, a child whose digestion is impaired by lactose intolerance may be a person with a disability, regardless of whether consuming milk causes severe distress.

### Medical Statements for a Disability-Related SDN

A disability-related SDN requiring meals that do not meet the meal pattern requirements must be supported by a medical statement completed and signed by a state licensed healthcare professional authorized to write medical prescriptions under state law.

- In Wisconsin, this is a Physician (Medical Doctor, MD; and Doctor of Osteopathy, DO), Physician Assistant, Nurse Practitioner Advanced Practice Nurse Prescriber (APNP), dentist, optometrist, and podiatrist.
  - Statements from health care professionals not authorized to write medical prescriptions (e.g., registered nurse or chiropractor) **cannot** be accepted as a valid statement for a disability to claim meals that do not meet meal pattern requirements.

#### **Wisconsin Licensed Healthcare Professionals Authorized to Write Medical Prescriptions:**

- Physician (Medical Doctor, MD; and Doctor of Osteopathy, DO)
- Physician Assistant
- Advanced Practice Nurse Prescriber (APNP)
- Dentist
- Optometrist
- Podiatrist

A **valid medical statement** for a disability **must** include the following information:

1. Description of impairment (reason for request)
2. How to accommodate the impairment (e.g., items(s) to be avoided and recommended substitutions)

Providers must seek clarification if a medical statement is unclear or lacks sufficient detail so that a proper and safe meal can be provided.

- The [Medical Statement Template](#) is an optional form that captures all required elements.

### Accommodating Disabilities

Providers must accommodate participants with disabilities with an appropriate modification. This includes when the disability requires modifications to more than one meal component. Providers must never require the family to provide the accommodation. Accommodations do not have to meet meal pattern requirements.

- The modification must be related to the disability or limitation caused by the disability.
- The medical statement from a state licensed healthcare professional identifying how to accommodate the disability and/or recommended substitution(s) must be followed.

- Providers are not required to provide the exact substitution or modification requested, however, must work with the family to determine a reasonable modification that effectively accommodates the disability.
  - For example, a family may request a particular brand name substitute. While a provider is not required to provide the brand name item identified, they must offer a substitute that does not contain the specific allergen that affects the child.
- Once a reasonable modification has been offered, families may:
  - Choose to accept it and then the provider must supply the item(s), or
  - Decline the item(s) and choose to provide a different substitution (ex. a specific brand). In addition, families may choose to provide more than one food component if the disability requires such modifications.

Providers can accommodate multiple children with the same type of disability by offering one type of substitution (e.g. lactose-free milk for all children who are lactose intolerant). However, every situation must be evaluated on a case-by-case basis to determine if the modification is appropriate (i.e. the child's symptoms are relieved by drinking lactose-free milk). If the general substitution offered by the provider will not effectively accommodate the child's disability, they must follow the substitution indicated on the medical statement

Providers are not required to make modifications that may be so financially burdensome that they would make continued operation of the CACFP unfeasible. Providers faced with a very expensive request should engage in further dialogue with the family. As discussed above, providers are not required to supply the exact substitution or other modifications requested. However, they must work with the family to offer a reasonable modification that effectively accommodates the child's disability and provides equal opportunity to participate in the CACFP.

### Serving Meals That Do Not Meet the CACFP Meal Pattern

Meals served to children with disabilities do not have to meet meal pattern requirements when the substitution is supported by a [valid medical statement](#) from a [licensed health care professional](#) specifying the item(s) to be avoided and recommended substitution(s). For example:

- Serving a non-creditable beverage, such as almond milk, in place of milk to a participant with a dairy allergy
- Serving gluten-free foods, which may not be creditable, to a child with celiac disease

Statements from other health care professionals not authorized to write medical prescriptions (ex. registered nurse, or chiropractor) **cannot** be accepted as a valid statement for a disability requesting foods that do not meet meal pattern requirements.

### Claiming Meals Served

Meals served for a disability may be claimed when:

- A [valid medical statement](#) is on file;
  - The provider has made a reasonable modification to accommodate the disability in accordance with the medical statement; and
  - The provider provides the modification, or the family has declined the modification and has chosen to provide one or more modifications. When the disability requires modifications to more than one meal component and the family chooses to provide these modifications, the provider must provide at least one component of the meal/snack.
- Meals do not have to meet meal pattern requirements.

**Note:** Meals served for disabilities are reimbursed at the same rate as meals that meet the meal pattern. Providers may not charge families for making SDN accommodations. Substitutions that exceed program reimbursement are at the provider's expense.

### Accommodating Disabilities Not Supported by a Valid Medical Statement

Providers may choose to accommodate requests not supported by a [valid medical statement](#) if the requested modifications can be accomplished by serving creditable foods and beverages for all required meal components.

This may occur when the family:

- Informs the provider that their child has an impairment that requires a meal modification
  - A written statement from the family must be on file including foods to be omitted and allowable substitutions
- Provides a medical statement from a health care professional not authorized to write medical prescriptions (e.g. registered nurse or chiropractor)

For example, children who cannot drink regular milk may be served a creditable beverage. A list of creditable and non-creditable beverages is in the box below.

**Creditable beverages:** Low-fat or fat-free lactose-reduced or lactose-free milk, kefir and soymilk (with nutrient levels equaling or exceeding cow's milk, refer to the *Non-Dairy Beverages* section)

**Non-creditable beverages:** Almond, cashew, coconut, hemp, oat, rice and 2% milks, juice and water, etc. When served in place of cow's milk, the meal cannot be claimed.

### NON-DISABILITY SPECIAL DIETARY NEEDS (SDN)

**A non-disability special dietary need is:**

- Eating certain foods or eliminating foods from the diet due to a general health concern and/or preference such as eating organic, vegetarian, or for religious or ethnic preferences.
- Includes medical-related requests that are not a disability or not supported by a valid written medical statement.

**Examples:**

- A request that a child is not served cow's milk due to eating vegetarian, not because the child has lactose intolerance
- A request that a child be served gluten-free foods based on the belief that a gluten-free diet is healthier, not because the child has celiac disease

### Written Statements for a Non-Disability Special Dietary Need

Documentation must be on file to support requests for a non-disability special dietary need.

For a non-disability SDN request that is a family preference, a written statement from the family or the *DCF Health History and Emergency Care Plan* must be on file, and must include:

- The non-disability dietary need including foods not to be served and allowable substitutions
- A statement that the family chooses to provide foods (if applicable) and the foods that will be provided

In addition, the following statements would be considered a non-disability SDN request:

- Medical statement from a health care professional not authorized to write medical prescriptions (e.g. registered nurse or chiropractor)
- Statement from a licensed health care professional that specifies a dietary preference, not a disability (e.g. statement indicates the child may drink rice milk per parent)

Once a statement for a non-disability request is received, the sponsor must check the box in the top portion of the [Special Dietary Needs Tracking Form](#) for the child confirming the required documentation is attached.

- Go to the [Sponsor Responsibilities](#) section in this GM for further instructions on completing the *SDN Tracking Form*.

### Accommodating Non-Disability Special Dietary Needs

Providers are not required but may choose to accommodate non-disability SDN requests. When accommodating non-disability SDNs, modifications must meet CACFP meal pattern requirements (i.e., all required components are served and substituted food(s) and/or beverage(s) are creditable).

Families may choose to provide **one creditable** component towards a reimbursable meal. It is the responsibility of the provider and sponsor to ensure that food substituted meets meal pattern requirements.

### Claiming Meals Served for a Non-Disability Special Dietary Need

Meals **may be claimed** when accommodations meet all of the following CACFP meal pattern requirements:

- The meal contains all required components
- The substitutions are creditable foods and/or beverages
- The provider supplies all components, or the family supplies only one creditable component

Meals **cannot be claimed** when accommodation(s) do not meet one of more of the following CACFP meal pattern requirements:

- The meal does not contain all required components
- The substitution(s) are not creditable foods and/or beverages
- The family provides two or more components

### NON-DAIRY BEVERAGES

Non-dairy beverages nutritionally equivalent to cow's milk are creditable and can be served as a milk substitute for a disability or non-disability special dietary need. To be nutritionally equivalent, non-dairy beverages must have, at a minimum, the levels of the nutrients listed in the [Creditable Non-Dairy Beverages](#) handout. Non-dairy beverages are not required to be low-fat or fat-free. When served to children 1-5 years old, they must be unflavored; when served to children 6 years and older, non-dairy beverages may be flavored or unflavored.

- **Creditable non-dairy beverages:** Several soymilks nutritionally equivalent to cow's milk are listed in the [Creditable Non-Dairy Beverages handout](#). When served in place of cow's milk, the meal may be claimed.
- **Non-creditable non-dairy beverages:** Almond, cashew, coconut, hemp, oat, and rice milks, juice, and water etc. are not nutritionally equivalent to cow's milk. When served in place of cow's milk, the meal cannot be claimed.

Children who cannot consume cow's milk due to a disability may be served any non-dairy beverage when supported by a [valid medical statement](#) signed by a [state licensed healthcare professional](#). The beverage does not need to be nutritionally equivalent to cow's milk.

To determine if a non-dairy beverage is nutritionally equivalent to cow's milk follow the steps below:

- 1) Check to see if the soymilk is listed as one of the creditable soymilks in the [Creditable Non-Dairy Beverages handout](#);
- 2) If not, obtain documentation of a product's nutrient levels for all nutrients listed in the *Creditable Non-Dairy Beverages* handout. They may be located on the product manufacturer's website or by contacting the product manufacturer and requesting documentation.
- 3) Compare nutrient levels to those listed in the *Creditable Non-Dairy Beverages* handout;
  - If a product's levels of required nutrients equal or exceed requirements, it is nutritionally equivalent to cow's milk.
- 4) Retain product information on file.

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## Documentation and Claiming Meals with Non-Dairy Beverages

### **Non-dairy beverages nutritionally equivalent to cow's milk**

Meals/snacks containing a **creditable** non-dairy beverage, supplied by either the provider or family, may only be claimed when all the following conditions are met:

- A written statement from the family that identifies the non-disability dietary need and the non-dairy beverage to be substituted is on file;
- Documentation is on file that the non-dairy beverage meets the required nutrient standards; and
- All other required meal components served to the child are supplied by the provider.

### **Non-dairy beverages NOT nutritionally equivalent to cow's milk**

Meals/snacks containing a **non-creditable** non-dairy beverage, supplied by either the provider or family, may only be claimed when all the following conditions are met:

- The child's special dietary need is the result of a disability;
- There is a [valid medical statement](#) signed by a state licensed healthcare professional on file; and
- All other required meal components served to the participant are supplied by the provider.

Children being served non-dairy beverages that are either nutritionally equivalent or not nutritionally equivalent to milk must have a completed [CACFP Special Dietary Needs Tracking Form \(FDCH Sponsors\)](#) on file by both the sponsor and provider.

- Go to the [Sponsor Responsibilities](#) section in this GM for further instructions on completing the *SDN Tracking Form*.

## FDCH SPONSOR REQUIREMENTS

For CACFP purposes and as specified in this guidance memo:

A child is considered as having a SDN when served different foods (*supplied by either the provider or family*) other than what the provider serves on their menus due to a family or medical request.

Sponsors must ensure that all children receive appropriate accommodations, providers are only reimbursed for meals that meet the SDN requirements, and the required documentation is obtained and retained on file.

### Sponsor Responsibilities

Oversee the meal accommodations, SDN documentation, and meal reimbursement for children with SDN at both the claim processing and home visit monitoring level.

- **The sponsor** must fully complete a [CACFP SDN Tracking Form](#) for each child being served meals with SDN accommodations.

### The Claim/Administrative Level

- 1) Upon receiving notice about a child's SDN, put the child in "pending status" within the claims system if non-creditable foods and/or missing components are being served to prevent further meal reimbursement.
- 2) Start completing the [CACFP SDN Tracking Form](#) for any child with a SDN upon receiving notice from the provider or their monitor if identifying the child during a home visit.
  - a) Work with the provider to complete the *Accommodations* or *Meal Substitutions* section;
  - b) Require the provider to submit valid medical statements or written SDN requests;
    - The sponsor must receive [valid medical statements](#) before permitting meal reimbursement for children whose SDNs require non-creditable foods or missing components to be served.
    - In the first section of the form, check the box confirming receipt of the written SDN requests only upon the provider submitting them.

- c) Review the medical statements / written SDN requests submitted by the provider to confirm they provide all information specified in the following sections of this GM:
  - [Medical Statements for a Disability-Related SDN](#)
  - [Written Statements for a Non-Disability Special Dietary Need](#)
- d) Finish completing the rest of the child's *SDN Tracking Form*;
  - The *Claiming Meals* section
  - *FDCH Sponsor Use Only* box
- 3) If the child is in "pending" status and a valid medical statement for the child's SDN has been received, update the child's status in the claims system to enable reimbursement for the meals that can be claimed;
- 4) Forward a copy of the fully completed *SDN Tracking Form* to the provider for their records; and
- 5) Retain the completed *SDN Tracking Form* and medical statement/written SDN request within the provider's file.

### **The Home Visit Monitoring Level**

- 1) In preparation for the home visit, review the completed *CACFP Special Dietary Needs Tracking Form* and medical statements/written SDN requests on file with the sponsor for any children with SDNs enrolled with the provider;
- 2) During the home visit, verify the provider is accommodating the children with SDNs as specified on their *CACFP Special Dietary Needs Tracking Form* and medical statement or written SDN request;
  - If the provider is not serving meals to the child as specified on their completed *SDN Tracking Form* and written SDN request, take steps to address the child's meal accommodations changes.
    - If the child's accommodations were within the meal pattern but no longer are (meals now serve non-creditable food(s) or are missing components), follow the steps explained below for [Children with SDN Requiring Immediate Action](#).
    - If a child's SDN has changed and now require different or additional accommodations, require the provider to submit updated written SDN requests or updated valid medical statements to the sponsor.
    - Note the child's SDN changes for the administrative office's follow-up to update the child's *CACFP Special Dietary Needs Tracking Form* with the provider.
- 3) Check for any newly enrolled children with SDNs or currently enrolled children with new SDNs:
  - a) SDNs Requiring Immediate Action:

If learning of a child who has a SDN for whom the provider has not yet notified or submitted any written SDN request to the sponsor and is serving meals that do not meet the meal pattern or that contain more than one family-supplied component:

    1. Contact the admin office for putting the child in "pending" status within the claims system to immediately stop any further reimbursement until the sponsor receives required SDN documentation;
    2. Disallow meals back to the first of the month (or further depending how long ago the provider started serving the child meals that did not meet the meal pattern); and
    3. On the Home Visit Form, record the disallowed non-reimbursable meals as a finding and require the provider to submit a valid medical statement for the child to the sponsor.

- b) SDNs Accommodated within the Meal Pattern and having no more than One Family-supplied Component:  
If learning of a child who has a SDN for whom the provider has not yet notified or submitted any written SDN request to the sponsor and is serving meals that meet the meal pattern and contain no more than one family-supplied component:
1. Record as required follow-up on the Home Visit Form that the provider must submit a written SDN request or medical statement to the sponsor for the child's SDN;
  2. Cite it as a finding at the next home visit if the provider has not yet submitted the required written SDN request.

### Provider Responsibilities

- 1) Inform the sponsor immediately upon the family requesting them to serve their child meals varying in any way from their menu;
- 2) Obtain medical statements/written family requests for both disability and non-disability related SDNs, even when the accommodations are being met within the meal pattern requirements;
  - Medical statements must be valid and written family requests must provide adequate information on omitted foods and substitutions.
- 3) Work with the sponsor to accurately complete the *Accommodations / Meal Substitutions* section of the *SDN Tracking Form*;
- 4) Serve appropriate accommodations for the child's meals according to their medical statement or written SDN request;
- 5) Only claim meal types the sponsor has approved to be reimbursable, as specified on the completed *SDN Tracking Form*;
  - *Once the sponsor has fully completed the SDN Tracking Form, they are to send the provider a copy for the files and reference.*
- 6) Retain copies each child's SDN documentation (medical statement/written SDN and fully completed *SDN Tracking Form* received from the sponsor) with their CACFP records.