

Special Dietary Needs in the CCFP

Meal Modifications Due to Disability

Requirements: When completed medical documentation is received, CCFP providers **must** make reasonable modifications that effectively accommodates the participant’s disability and provides equal opportunity to program benefits. This applies to catered as well as self-prepared meals.

What is a Disability?

The Americans with Disabilities Act (ADA) Amendments Act of 2008 made important changes to the term “disability” to include any person with a physical or mental impairment that limits one or more major life activities, including major bodily functions. Most physical and mental impairments will constitute a disability, it does not need to be life-threatening. USDA requires programs to make reasonable modifications to accommodate participants with disabilities to provide equal opportunity to participate. Examples of a disability may include diabetes, food allergy or intolerance, developmental delay or autism.

What is a Reasonable Modification?

The modification provided does not have to be the exact modification requested.

- Providers are not required to provide the specific brand names requested however, must work with family to determine a reasonable modification that effectively accommodates the disability. Meal accommodations do not need to mirror items being substituted. *Example: If lasagna is on the menu, you are not required to provide a gluten free lasagna option for a participant with Celiac disease; you could provide beans and rice instead.*
- Providers are required to provide the participant a meal that is safe for them to eat, allowing them equal opportunity to participate in the program, but it does not need to be a different meal each day. It is best to provide a variety, but some diets are too restrictive, and it may not be possible.
- A disability may require modifications to more than one meal component.
- To the extent possible, the meal or snack provided should follow the applicable USDA meal pattern.
- Providers may never require the family to supply the accommodation.
- Providers may not unduly delay providing the modification while awaiting the completed medical statement but should begin providing a reasonable modification to keep the child safe.
- Providers are required to serve participants with special diet requests due to medical need in the most inclusive way. *Example: a participant cannot be required to sit in another room during meal services.* However, always balance safety with stigma when accommodating a severe anaphylactic food allergy. A separate table may be necessary to control exposure to the allergen.
- If they desire to, parents/guardians may supply **all but one component** (supplied by the provider) for a reimbursable meal.

Major Life Activities

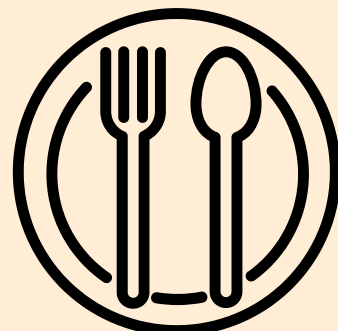
(included, but not limited to)

- Caring for oneself
- Performing manual tasks
- Seeing
- Hearing
- Eating
- Sleeping
- Walking
- Bending
- Speaking
- Breathing
- Learning
- Reading
- Concentrating

Major Bodily Functions

(included, but not limited to)

- Immune system
- Digestive
- Bladder
- Neurological
- Brain
- Respiratory
- Circulatory
- Endocrine
- Reproductive



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What Documentation is Required?

Written Medical Statement

A valid **medical statement** is required when the special diet request results in a meal or snack that **does not fully meet meal pattern requirements**. This form is located in this guidance, on our website and MIPS.

It must be completed and signed by a licensed healthcare professional, defined as an individual authorized to write medical prescriptions. In Florida, this is a Physician, Physician Assistant (PA) and Nurse Practitioner (ARNP). A Registered Dietitian (RD) is authorized to complete and sign this form.

It must include the following information:

- **The physical/mental impairment that restricts the diet.**
- **What foods to omit and foods to be substituted or any necessary adaptive feeding equipment.**
- **Signature of licensed healthcare professional (physician, physician assistant, nurse practitioner), or a registered dietitian.**

What if the Medical Statement is Not Clear?

Seek clarification if statement is unclear or lacks sufficient detail so a proper and safe meal can be provided. Work with the parent or guardian to provide clarification.

It is not necessary to wait for a completed Medical Statement to provide meal accommodations to the best of your ability to keep the child safe. *Example: the Medical Statement lists "fish allergy" but doesn't list foods to be substituted. It is reasonable to remove fish from the child's meals and substitute another meat/meat alternate after speaking with the parent or guardian.*

As a reminder, it is never appropriate to say "no" to a requested meal modification due to a disability. If the parent and provider cannot come to an agreement as to what the reasonable accommodation will be, the sponsor (if applicable) must be notified. In turn, the sponsor and independent site providers must notify the Nutrition Section in the CCFP Tallahassee office of any situation where a meal modification due to disability is not accommodated.

Examples of Wording in Medical Statements

Not Acceptable Wording

Serve Cal almond milk.

Dr. Dan Physician, MD

Acceptable Wording

Cal has a milk allergy and cannot drink cow's milk. He should be served almond milk.

Dr. Dan Physician, MD

Steps to Get Started:

Step 1: Develop procedures for:

- Parents, guardians, and participants to request special diet accommodations.
- Getting required documentation
- Providing final written decision of the request
- Determining reasonable modifications
- Providing notice of nondiscrimination and accessible services, as outlined in 7 CFR 15b.7
- Receiving grievances and promptly resolving complaints

Step 2: Train staff and volunteers on:

- All special diet procedures
- Legal and confidentiality requirements

Step 3: Assign a key staff person:

- All child nutrition programs with 15 or more employees must designate a Section 504 Coordinator who is responsible for ensuring compliance with all disability requirements.
- All child nutrition programs with less than 15 employees should still designate someone who can provide technical assistance for participants with special diet requests due to a medical need.

Step 4: Use a team approach:

- Create a team (including those involved with providing special diet accommodations and others that may be trained in this area).
- This team will work with the participant or their parent or guardian to review the request and develop a solution as quickly as possible.
- The team should develop policies and practices that allow for the special diet requests they most commonly encounter to be quickly and consistently addressed.
- The team should be advised that any medical information they get must be kept confidential.

Special Dietary Needs in the CCFP

Meal Modifications Due to Preference

What is a Dietary Preference? Eating certain foods or eliminating foods from the diet due to a general health concern and/or preference. *For example: Request that a participant does not drink cow's milk because of a preference, not because the participant has lactose intolerance.*

When a Dietary Preference Request is Received:

- Provider will verify that request is not related to a disability, but a non-disability dietary need:
 1. **Religious (i.e. eliminating beef, pork or eggs)**
 2. **Ethnic**
 3. **Lifestyle preference (i.e. organic, vegetarian)**
 4. **Other (health reason not supported by a completed medical statement, i.e. gluten free diet because parent believes it is healthier for the child).**
- Programs are **not required** to accommodate dietary preference request, but strongly encouraged to do so, if possible.
- All substitutions must meet meal pattern requirements.
- Dietary preference request is supported by a written statement from parent or guardian, or a completed Dietary Preference Form, which is available on our website and MIPS.
- Parent/guardian may supply **one creditable component** per meal, with the provider supplying the rest of the components for a reimbursable meal.

Documentation Required

Dietary Preference Form:

- Form is located on the CCFP website and MIPS.
- The form must be completed fully and signed by the parent/guardian.
- Provider will work with parent/guardian to determine how and if request will be accommodated.

-OR-

Written Statement from Family:

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

Accommodating Requests Within the Meal Pattern:

In many cases, requests can be managed within the 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 (refer to **CCFP Milk Substitutions List**). Because this modification is creditable, the meal meets CCFP requirements and is reimbursable.
- Accommodate vegetarian participants by serving creditable meat alternates.

For More Information:

[Accommodating Children with Special Dietary Needs in the School Nutrition Programs](#)

[Modifications to Accommodate Disabilities in the Child and Adult Care Food Program \(USDA memo CACFP 14-2017\)](#)