



Food and  
Nutrition  
Service

Braddock  
Metro  
Center  
  
1320  
Braddock  
Place  
Alexandria  
VA 22314

June 23, 2020

Renee Kane  
Bureau Chief  
Bureau of Child Care Food Programs  
Florida Department of Health  
4052 Bald Cypress Way, Bin A-17  
Tallahassee, Florida 32399

Dear Ms. Kane:

This letter is in response to the Florida Department of Health's Bureau of Child Care Food Programs' (CCFP) waiver request, received May 8, 2020. CCFP requested to extend the timeline in which, after receipt of a complete application to participate in the Child and Adult Care Food Program (CACFP), the State agency must notify the applicant if the application is approved or denied. Specifically, CCFP requested a statewide waiver of CACFP regulations under 7 CFR 226.6(b)(3), which require State agencies to notify a new or renewing institution applying for participation in the program within 30 calendar days of the State agency's receipt of a complete application. Instead, CCFP proposes to have up to 45 days to review applications and notify institutions of their acceptance or denial. Pursuant to section 12(l) of the NSLA, FNS approves CCFP's waiver request for 7 CFR 226.6(b)(3).

Based on the exceptional circumstances relating to the declaration of a public health emergency due to COVID-19 by the U.S. Department of Health and Human Services, effective January 27, 2020, FNS approves CCFP's request. In order to provide safe working conditions, CCFP has restructured their in-house processing of applications to accommodate for social distancing practice. CCFP has stated that it will continue to diligently process applications to allow centers to participate in the CACFP, while adhering to accommodations made to implement social distancing practices. FNS approves CCFP's request to waive the requirement to notify a new or renewing institution applying for participation in the program within 30 calendar days of the State agency's receipt of a complete application. This waiver is effective immediately through July 31, 2020.

While CCFP requested the waiver through September 30, 2020, FNS limited the duration of the waiver to assess its impact and the need for continued flexibility. FNS recommends that CCFP, as proposed, institute a 45 day response deadline through the duration of this waiver. FNS recognizes that there may be a continued need for this waiver, and will carefully assess the situation on an ongoing basis. Therefore, CCFP may request an extension to this waiver if the situation warrants it.

The waiver authority at section 12(l) of the NSLA requires FNS to review the performance of any State or eligible service provider that was granted a waiver.

Therefore, by December 31, 2020, CCFP must provide to the FNS Southeast Regional Office a written report quantifying the impact of the waiver, as described below. The report must include the following:

- A description of how the waiver impacted meal service operations, children's access to nutritious meals, and participation in CACFP;
- A description of how the waiver reduced the quantity of paperwork necessary to administer the program;
- The total number of applicants to which the State agency responded after the 30 day requirement;
- A summary of benefits and challenges associated with the waiver.

FNS appreciates CCFP's commitment to work with sponsors to find efficiencies that balance the needs of local communities with cost-effective program management and integrity. If you have questions, please contact the Southeast Regional Office.

Sincerely,

  
for

Angela M. Kline  
Director  
Policy and Program Development Division

Electronic Copy:      Rosie Daugherty, SERO