

FLORIDA DEPARTMENT OF HEALTH

CHILD CARE FOOD PROGRAM WAIVER REQUEST

1. State agency submitting waiver request and responsible State agency staff contact information:

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

Renee Kane, Bureau Chief
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Brenda Lane, Policy Manager
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Danielle Sharp, Field Operations Manager
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2. Region:

Southeast Regional Office (SERO)

3. Eligible service providers participating in waiver and affirmation that they are in good standing:

The Florida Department of Health, Bureau of Child Care Food Programs (CCFP) is requesting this waiver on behalf of all participating CCFP sponsoring organizations that are currently in good standing with the State Agency (SA).

4. Description of the challenge the State agency is seeking to solve, the goal of the waiver to improve services under the Program, and the expected outcomes if the waiver is granted. [Section 12(I)(2)(A)(iii) and 12(I)(2)(A)(iv) of the NSLA]:

CCFP is requesting the following statewide waiver due to the COVID-19 pandemic:

Allow all CCFP Sponsoring Organizations (except for Day Care Home sponsors) to retain up to 20 % of meal reimbursements to pay for administrative costs. Allow Day Care Home Sponsoring organizations to claim administrative reimbursement based on the number of active day care homes that filed claims during the month of January 2020 or the current claim month, whichever is higher.

The SA anticipates that if the waiver is granted, sponsoring organizations will be better able to cover their administrative costs during the impact of the COVID-19 pandemic, which is causing many child care facilities to close down.

5. Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(I)(2)(A)(i) of the NSLA]:

7 CFR 226 Citation	Requirement to be Waived
7 CFR 226.7(g)	Budget approval. "For sponsoring organizations of centers, the State agency is prohibited from approving the sponsoring organization's administrative budget, or any amendments to the budget, if the administrative budget shows the Program will be charged for administrative costs in excess of 15 percent of the meal reimbursements estimated to be earned during the budget year. However, the State agency may waive this limit if the sponsoring organization provides justification that it requires Program funds in excess of 15 percent to pay its administrative costs and if the State agency is convinced that the institution will have adequate funding to provide meals meeting the requirements of 226.20. The

	State agency must document all waiver approvals and denials in writing, and must provide a copy of all such letters to the appropriate FNSRO.”
7 CFR 226.12(a)(i-iv)	Sponsoring organizations for day care homes shall receive payments for administrative costs. During any fiscal year, administrative costs payments to a sponsoring organization may not exceed the lesser of (1) actual expenditures for the costs of administering the Program less income to the Program, or (2) the amount of administrative costs approved by the State agency in the sponsoring organization’s budget, or (3) the sum of the products obtained by multiplying each month the sponsoring organization’s: (i) Initial 50 day care homes by 120 dollars; (ii) Next 150 day care homes by 91 dollars; (iii) Next 800 homes by 71 dollars; and (iv) Additional day care homes by 63 dollars.

6. Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:

CCFP will provide detailed information and instructions to all participating institutions on the waiver process. CCFP contractors will be required to request approval for the use of the waiver(s).

Sponsoring organization administrative costs (such as labor, utilities, cellular and internet services, etc.) will continue to accrue, despite the reduction in active centers and day care homes. By allowing CCFP Sponsoring Organizations (except for Day Care Home sponsors) to retain up to 20 percent of meal reimbursements to pay for administrative costs and by allowing Day Care Home Sponsoring organizations to claim administrative reimbursement based on the number of active day care homes that filed claims during the month of January 2020 or the current claim month, whichever is higher; sponsoring organizations will be able to retain staff and continue to administer the CCFP in their areas. This waiver will also allow sponsors to be better able to cover their administrative costs during the impact of the COVID-19 pandemic.

7. Description of any steps the State has taken to address regulatory barriers at the State level. [Section 12(I)(2)(A)(ii) of the NSLA]:

No barriers have been identified at the State Agency level. There are currently no state-level regulatory barriers related to this specific issue.

8. Anticipated challenges State or eligible service providers may face with the waiver implementation:

We do not anticipate that this waiver will present any challenges to the State Agency or to CCFP contractors.

9. Description of how the waiver will not increase the overall cost of the Program to the Federal Government. If there are anticipated increases, confirm that the costs will be paid from non-Federal funds. [Section 12(I)(1)(A)(iii) of the NSLA]:

The requested waiver is not intended to increase the overall cost of the Program to the Federal Government. Since many child care centers, day care homes, and afterschool meals programs have closed completely, the overall cost to the Program is anticipated to be less than pre-COVID-19 costs.

10. Anticipated waiver implementation date and time period:

The waiver will begin upon approval of USDA national office and is requested to remain in place through the end of the Federal Fiscal Year (September 30, 2020), unless otherwise specified above.

11. Proposed monitoring and review procedures:

CCFP will work with approved contractors on the approval, implementation, and reporting of this waiver. During the review process, State Agency staff will confirm whether the waiver(s) have been implemented correctly and in compliance with regulatory requirements through an extensive review of the contractor's CCFP records.

12. Proposed reporting requirements (include type of data and due date(s) to FNS):

CCFP will provide a report about the use of the waiver to USDA by December 31, 2020. This report will provide data and an analysis of the waiver impact to include:

1. A description of how the waiver impacted meal service operations, children's access to nutritious meals, and participation in the CCFP
2. A description of how the waiver impacted the quantity of paperwork necessary to administer the program
3. The number of CCFP contractors that used the waiver
4. The number of meals served at sites that used the waiver
5. A summary of findings, if any, associated with the use of the waiver

13. Link to or a copy of the public notice informing the public about the proposed waiver [Section 12(I)(1)(A)(ii) of the NSLA]:

www.floridahealth.gov/ccfp

14. Signature and title of requesting official:

Renee Kane

Renee Kane, MPH, RD, LD

Bureau Chief

Bureau of Child Care Food Programs

Address: 4052 Bald Cypress Way, Bin A-17, Tallahassee, FL 32399

Requesting official's email address for transmission of response: Renee.Kane@flhealth.gov

TO BE COMPLETED BY FNS REGIONAL OFFICE:

FNS Regional Offices are requested to ensure the questions have been adequately addressed by the State agency and formulate an opinion and justification for a response to the waiver request based on their knowledge, experience and work with the State.

Date request was received at Regional Office:

4/8/2020

Check this box to confirm that the State agency has provided public notice in accordance with Section 12(I)(1)(A)(ii) of the NSLA

Regional Office Analysis and Recommendations:

The SERO supports the request. The overall cost to the Program is not anticipated to increase. The request was received and acknowledged on 4/8/2020.