

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 institutions and 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 for all CCFP contractor types that are operating non-congregate feeding sites under the National waiver (except for AMP sites that are concurrently operating SFSP/SSO) the ability to serve and claim for reimbursement 3 meals (Breakfast, Lunch, Supper) per child per day. This is consistent with the intent of the USDA Disaster Response policy memo SP 46-2014, CACFP 12-2014, SFSP 18-2014 dated May 19, 2014. Under the section ***Emergency Shelters in the Child and Adult Care Food Program***, the memo states that “When State agencies have designated a facility as an emergency shelter, all children through age 18 may receive up to three free meals (breakfast, lunch, and supper) each day.” The memo goes on to say that “An ‘appropriate facility’ may include a school or an institution which, although it is not providing actual shelter, is nevertheless providing meals to displaced families who are being temporarily housed elsewhere, in locations that may not have the means to provide meal services to these temporary residents.” In essence, the children impacted by the COVID-19 pandemic are temporarily displaced and are at risk for not receiving meal services due to closures of schools and child care centers, where they typically receive their meals. Additionally, this policy memo specifically mentions an emergency situation such as a human pandemic under the section ***Other Exceptional Emergency Situations or Man-made Disasters***.

The challenges that the SA and CCFP institutions may face if this waiver is **NOT** approved include a decrease in the health of participants who no longer have access to healthy meals due to unanticipated school and child care facility closures and an increased potential for spread of the virus due to ineffective implementation of social distancing. The SA anticipates that if the waiver is granted, there will not be an interruption in reimbursements to CCFP institutions who serve meals to children throughout the community during the COVID-19 pandemic.

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 226.17(b)(3)	Each child care center participating in the Program must serve one or more of the following meal types—breakfast; lunch; supper; and snack. Reimbursement must not be claimed for more than two meals and one snack or one meal and two snacks provided daily to each child.
7 CFR 226.17a(k)	<i>Limit on daily reimbursements.</i> Only one at-risk afterschool snack and, in eligible States, one at-risk afterschool meal per child per day may be claimed for reimbursement. An at-risk afterschool care center that provides care to a child under another component of the Program during the same day may not claim reimbursement for more than two meals and one snack, or one meal and two snacks, per child per day, including the at-risk afterschool snack and the at-risk afterschool meal. All meals and snacks must be claimed in accordance with the requirements for the applicable component of the Program.

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). The alternative procedures would allow CCFP contractors in good standing to serve meals to children in a non-congregate setting during unanticipated school closures due to a public health emergency (i.e., COVID-19, novel coronavirus). This includes an allowance for CCFP contractors to provide multiple meals and snacks at one time for up to a 5-day period.

This waiver will also allow CCFP contractors to spend less time on paperwork and administrative requirements and allow them to focus more on serving nutritious meals to children in need.

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 number of meals served under this waiver is not expected to exceed the meals that would have been served in a congregate setting at the CCFP sites had the sites (or school) not experienced an unanticipated closure.

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:

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: