

## Special Needs Meals in the CCFP

### Meal Modifications due to Disability or Preference

Reasonable modifications **must** be made for children with disabilities that restrict their diet. Section 504 of the Rehabilitation Act of 1973 defines a person with a disability as any person who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such a disability, or is regarded as having such a disability. Major life activities are broadly defined and include, but are not limited to, eating, digestion, and feeding skills.

*Most physical and mental impairments will constitute a disability.* Examples of a disability may include diabetes, food allergy or intolerance, developmental delay, or autism.

A physical or mental impairment does not need to be life-threatening to constitute a disability. For example, a food allergy does not need to cause anaphylaxis to be considered a disability. A non-life-threatening allergy may be considered a disability and require a meal modification, if it impacts a major bodily function or other major life activity.

A child's impairment also may be considered a disability even if medication or other mitigating measures reduce the impact of the impairment.

CCFP institution/facilities that fail to make appropriate meal modifications for children with disabilities could be found in violation of Federal civil rights laws.

*CCFP institution/facilities must make reasonable modifications due to disability regardless of whether the participating facility prepares meals on site or receives catered meals.*

When substitutions are made and the meal pattern is *not* met, a medical statement is required and must be signed by a physician, physician's assistant (PA), or nurse practitioner (ARNP). Please note, institutions/facilities may not unduly delay providing the modification while awaiting the medical statement, but should begin providing a reasonable modification to keep the child safe.

*Meals with substitutions that meet all meal pattern requirements are reimbursable and no medical statement is needed.* A note from the parent/guardian should be on file. CCFP institutions/facilities are not required, but strongly encouraged, to make meal modifications due to parent or child preference.

### **Modifications Outside of the Meal Pattern**

When substitutions are made and the meal pattern is not met, a medical statement is required. In this situation, the medical statement must include the following:

- Description of the child's physical or mental impairment that restricts diet.
- An explanation of what must be done to accommodate the disability, e.g., listing food(s) to be omitted and the food(s) to be substituted or any necessary adaptive feeding equipment.
- Signature of a licensed physician, physician's assistant (PA), or nurse practitioner (ARNP).

A parent/guardian may supply *one or more* components of the reimbursable meal as long as the child care institution/facility provides at least one required meal component.

Institution/facilities *cannot require* parents to bring in the substitute(s).

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#### **Modifications Within the Meal Pattern**

*Meals with substitutions that meet all meal pattern requirements are reimbursable and no medical statement is needed. A note from the parent/guardian should be on file. CCFP institution/facilities are not required, but strongly encouraged, to make meal modifications due to parent or child preference.*

Requests for modifications can be made due to preference (e.g. religious preference or vegetarianism). Institution/facilities are strongly encouraged to accommodate requests due to preference, but are not required to do so. For example, the child care institution/facility can substitute lactose-free milk in place of “regular” cow’s milk or substitute meat alternates for a child who does not eat meat.

A parent/guardian may supply *only one* component of the reimbursable meal as long as the child care institution/facility provides all other required components. Any parent-provided component must be creditable.

Institution/facilities *cannot require* parents to bring in a food substitute.

#### **Milk substitutions due to preference - soy milk:**

Child care institution/facilities *or* parents may provide a soy milk that is nutritionally equivalent to the fluid milk component of the meal pattern. For the meal to be reimbursable, the beverage must be listed on the current *CCFP Approved Milk Substitution List for Children Ages 1 and Older* on the CCFP website under Nutrition and Menu Planning/Special Dietary Needs at: [www.flhealth.gov/ccfp/](http://www.flhealth.gov/ccfp/)

The following must be maintained on file:

- A letter from the parent/guardian requesting a nutritionally equivalent soy milk is required if no medical statement is on file. The letter must state whether the parent/guardian or the center will provide the milk substitute.

If parent/guardian *prefers* to provide the approved soy milk, it must be in the original container and labeled with the child’s name. Institution/facilities cannot require parents to bring in the substitute.

All other milk substitutes (e.g., almond milk, rice milk, coconut milk): These milks are not nutritionally equivalent to fluid cow’s milk and require a medical statement to be served as part of a reimbursable meal.

*Institution/facilities are encouraged to contact the nutrition section at the state office at 850-245-4323 for assistance with meal modifications due to disability or preference.*