

Quick Guide for Oregon Child Nutrition Programs

Meal Accommodations for Participants with Disabilities or Medical or Other Special Dietary Needs

Participants with Disabilities

Federal regulations **require Child Nutrition Programs Sponsors and Providers** to make reasonable modifications to the standard meal requirements to accommodate participants with disabilities.

Oregon's authorized State licensed health care professionals are: Medical Doctor (MD), Doctor of Osteopathy (DO), Doctor of Naturopathy (ND), Physician's Assistant (PA), Certified Nurse Practitioner or clinical nurse specialist, Doctor of Dental Medicine (DMD), Doctor of Dental Surgery (DDS) and Doctor of Optometry (OD).

Recommended form: **Medical Statement - For Accommodating Disabilities**

The written statement shall identify:

1. The participant's major life activity or major bodily function affected by the participant's physical or mental impairment that restricts the diet.
2. An explanation of what needs to be done to accommodate the disability.
3. In the case of dietary accommodation, the food or foods to be omitted from the participant's diet; or other dietary accommodations to be made; and
4. The food or choice of foods to be substituted when foods are omitted from the diet.

The following information should be included on the written statement, if required by the disability:

1. Caloric modifications
2. Meal pattern or frequency modifications
3. The substitution of a liquid nutritive formula

Description of required textural modifications is recommended, but not required.

[Link to ODE CNP Special Dietary Needs Webpage](#)

Participants with Special Dietary Needs Not Applicable for non-school district SFSP Sponsors

At their discretion, Sponsors or Providers may make accommodations for individual participants who *do not have a disability* but choose not to consume a food item because of other special dietary needs.

In most cases, the special dietary needs of participants without disabilities are accommodated through normal program meal service.

When a modification is made within the meal pattern, Sponsors are not required to obtain a written statement. To claim the meal for reimbursement, the accommodation must meet the standards found in program regulations.

Other Special Needs (e.g., Cultural, Religious)

At their discretion, Sponsors or Providers may make meal accommodations for individual participants for reasons such as cultural and religious preferences. Sponsors and Providers must ensure that such accommodations are consistent with all Child Nutrition Programs Civil Rights requirements. To claim the meal for reimbursement, the accommodation must meet the standards found in program regulations.

Milk Substitutions for Participants without Disabilities – Not applicable for non-school district SFSP Sponsors

Sponsors or Providers, **at their discretion**, may make accommodations for participants without disabilities who request a substitution for cow's milk. These substitutions must be nutritionally equivalent to cow's milk. Participants must submit:

1. A *Milk Substitute Request--Participants without Disabilities* form signed by a parent/guardian, the adult participant in adult day care, or health care professional.
2. The Sponsors or Providers must retain the form for each participant receiving an accommodation.

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Food Allergies

A food allergy *is generally considered a disability*. Under the definition of disability in the ADA, a food allergy does not need to be life threatening or cause anaphylaxis in order 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 (such as digestion, respiration, immune response, skin rash, etc.). A food intolerance may be considered a disability if it substantially limits a major life activity. In any case, a request for meal accommodations from a State licensed health care professional (see list) must be followed.

USDA Meal Reimbursement

Reimbursement for meals served to participants with disabilities or participants with other special dietary needs are paid at the standard meal reimbursement rates. While any additional costs for substituted foods are considered allowable program costs, no additional Child Nutrition Programs reimbursement is available. Sources of supplemental funding may include special education funds in schools (if the substituted food is specified in the participant's individualized education program), the sponsor's general account, or the sponsor's nonprofit foodservice account.

Participant Meal Charges

There can be **no** additional charges to participants with or without disabilities for meal substitutions.

Cooperation

To ensure that reasonable accommodations are made for participants with disabilities or other special dietary needs, Program sponsors and providers should work closely with the parent(s)/guardian(s) or adult participants and with all other personnel responsible for the health and well-being of participant.

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