

Quick Guide for Oregon Child Nutrition Programs

Meal Substitutions 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 substitutions to the standard meal requirements for participants who are considered disabled and whose disability restricts their diet.

Decided by: Licensed Physician (Medical Doctor [MD] or Doctor of Osteopathy [DO], only.)

Use the form titled: *Medical Statement--Participants with Disabilities*

The medical statement shall identify:

1. The participant's disability and the major life activity or major bodily function affected by the disability;
2. An explanation of why the disability restricts the participant's diet;
3. The food or foods to be omitted from the participant's diet; and,
4. The food or choice of foods that must be substituted.

The following information should be included on the Medical 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.

Participants without Disabilities

A sponsor or provider may, **at their discretion**, make substitutions for individual participants who *do not have a disability* but are unable to consume a food item because of medical or other special dietary needs.

Decided by: *Recognized medical authority*. In Oregon *recognized medical authorities* include Medical Doctor (MD), Doctor of Osteopathy (DO), Physician Assistants (PA), Registered Dietitians (RD), Nurse Practitioners (NP), Registered Nurses (RN), Naturopathic Physician (ND), and Naturopathic Doctor of Osteopathy (NDO).

Use the form titled: *Medical Statement--Participants without Disabilities*

For those participants without disabilities, the supporting statement by the *recognized medical authority* shall identify:

1. The medical or other special dietary need that restricts the participant's diet
2. The food or foods to be omitted from the participant's diet; and,
3. The food or choice of foods that may be substituted.

Milk Substitutions for Participants without Disabilities

A sponsor or provider may, **at their discretion**, make substitutions for participants without disabilities who request a substitution for 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 recognized medical authority.

ODE CNP Special Dietary Needs Webpage

<http://www.ode.state.or.us/go/CNPSpecialDietaryNeeds>

Food Allergies

Generally, participants with food allergies or intolerances are not *persons with disabilities* and sponsors and providers are not required to make substitutions for them. *However*, if a licensed physician assesses that food allergies may result in severe, life-threatening reactions (anaphylactic reactions), the participant may then meet the definition of a *participant with disabilities* and the sponsor or provider must make the substitutions prescribed by the licensed physician (MD or DO, only).

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 rate. 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.

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

A sponsor or provider may, **at their discretion**, make meal substitutions for individual participants for other reasons such as cultural and religious preferences. Sponsors and providers must ensure that such substitutions are made consistent with all Child Nutrition Program Civil Rights requirements.

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 to allow participants with disabilities or with other special dietary needs to participate in Child Nutrition Programs sponsors, food service personnel and providers should work closely with the parent(s), guardian(s) or adult participants and with all other school, medical and community personnel who are responsible for the health, well-being and education of participants with disabilities or with other special dietary needs.