



Oregon

Kate Brown, Governor



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Colt Gill

Deputy Superintendent of Public Instruction

July 30, 2021

TO: Sponsors of the Child and Adult Care Food Program, National School Lunch Program, School Breakfast Program and Summer Food Service Program

RE: Meal Accommodations in School Meals Program, the Child and Adult Care Food Program, and the Summer Food Service Program
SP 59-2016; SP 26-2017; SP 40-2017; CACFP 14-2017; SFSP 10-2017

Action Required

Effective Immediately

This memo introduces a revised medical statement form, new meal modification request form, a revised Quick Guide, revised Medical Statement Decision Tree, and provides general information regarding meal accommodations in Child Nutrition Programs. The memo covers two areas of meal accommodation:

1. Medical Statement for medical accommodations
2. Meal Preference Form for non-medical meal accommodations

These changes are due to recommendations from a USDA Civil Rights review of the Oregon Department of Education Child Nutrition Programs' (ODE CNP) Meal Accommodations policies and procedures. ODE CNP issued memos on October 17, 2016, for National School Lunch Program (NSLP); School Breakfast Program (SBP); and July 26, 2017, for the Child and Adult Care Food Program (CACFP) and Summer Food Service Program (SFSP). This memo is an update to the ODE CNP memo issued April 26, 2018 that included new meal accommodation resources.

General Information

To assist Sponsors in securing the proper information to make meal accommodations, ODE CNP has replaced the Medical Statement forms for all Child Nutrition Programs Sponsors with one form. The form is retitled "Medical Statement" and replaces the "Medical Statement - for Accommodating Disabilities." The "Milk Substitute Request - Participants without Disabilities" is no longer in use, replacing it is the "Meal Preference Request Form." Sponsors may revise the Meal Preferences Request Form to fit their needs.

The new Medical Statement form is in alignment with the USDA guidance and simplifies the process for Sponsors in collecting written statements for meal modification to the Program meal pattern due to disabilities. While it is not required to use ODE CNP's Medical Statement form, Sponsors may use it since the form includes all required elements. Use of any form may not limit access to meal accommodations for participants with disabilities. Accommodations may be made with any written document that contains the required information and is signed by a State licensed health care professional.

All valid Medical Statements for participants with disabilities currently on file with sponsors will remain valid. Sponsors are not required to have parents/guardians or adult participants resubmit their Medical Statement on a new form.

Enclosed are the revised Medical Statement, new Meal Accommodation Request Form, revised Quick Guide, and the revised Medical Statement Decision Tree. The documents are posted at [ODE CNP Meal Accommodations and Modifications webpage](#)

The revised Medical Statement form is translated in Chinese, Russian, Spanish, and Vietnamese. The translated form are posted on the [ODE CNP Meal Accommodations and Modifications webpage](#). Please discard all other versions of the Medical Statement forms, the Quick Guide and ODE CNP Medical Statement Decision Tree.

Special Dietary Needs training will be available in August 2021.

Meal Accommodation for Participants with Medical Meal Accommodation Requests

Program regulations *require* Sponsors to provide meal accommodations for participants with disabilities on a case-by-case basis and only when written information from a State licensed health care professional authorized to write medical prescriptions supports the request. Meals that do not meet the Program meal pattern requirements are only eligible for reimbursement when supported by a written statement.¹

The written information from the State licensed health care professional must identify:

- The participant’s major life activity or major bodily function that restricts the diet and is affected by the participant’s physical or mental impairment; the statement does not need to use the term “disabled” or “disability”;
- An explanation of what must be done to accommodate the disability or impairment;
 - In the case of dietary accommodation, the food(s) to be omitted;
 - Other meal accommodations to be made as applicable (for example: special utensils or staff person to assist with eating, texture);
- Food(s) substituted when the food(s) is/are omitted from the diet.

The Medical Statement (revised form):

- May be used when a modification to Program meals or meal service must be made to accommodate participants with disabilities;
- Must include the required information on the written statement;
- Must be completed and signed by a State licensed health care professional, who is authorized to write medical prescriptions under state law.
- The Medical Statement now includes instructions on the back of the form.

The form is valid from the day received by the Sponsor and does not require annual renewal.

¹. 7 CFR 226.20 (g); 7 CFR 210.10(m); 7CFR 220.8(m); and 7 CFR 225.15(f)(4)

Additional Considerations for Making Dietary Accommodations for Participants with Medical Meal Accommodation Requests

An accommodation is needed, but a signed and complete medical statement has not been received: Sponsors should not delay a participant's meal modification while waiting for the family to submit a written statement or to gain additional information from the medical authority. In this situation, Sponsors must document the initial conversation with the family when Sponsors first learned of the participant's need for an accommodation. The accommodation should be made, and Sponsors may claim meals for reimbursement while waiting for the written statement. Sponsors should follow up with the family if the Sponsor does not receive the requested written statement as anticipated and maintain a record of this contact. Sponsors should diligently continue to follow up with the family until a written statement is obtained or the request is rescinded.

The requested accommodation is very specific. Sponsors are not required to provide the specific substitution or other modification requested, but must offer a reasonable modification that effectively accommodates the child's disability and provides equal opportunity to participate in or benefit from the program.

Meal Accommodation for Participant with Non-Medical Meal Accommodation Request

Sponsors are not required to make substitutions for participants who are not requesting medical meal accommodations but may choose to do so. ODE CNP recommends Sponsors develop an organization-wide policy for non-medical meal accommodations. Non-medical meal accommodations may include cultural, religious, lifestyle, or other requests.

Sponsors who allow non-medical meal accommodations, including requests for nutritionally equivalent milk substitutes, should use the new Meal Preference Request Form. This form replaces the previous Milk Substitute Request Form and includes additional space to document other non-medical meal accommodation requests. The form may be signed by the participant's parent or guardian or recognized medical authority. In Adult Care Programs, the participant may sign the form.

Current Milk Substitute Request forms are still valid and does not need to be updated if still applicable. Sponsors must switch over to the Meal Preference Request Form for new requests.

In most cases, non-medical meal accommodation may be managed within the normal program meal service when the menu includes a variety of nutritious foods. When providing a substitution for a non-medical meal accommodation request, the substitution must be consistent with the meal pattern requirements specified in Program regulations in order for the meal to be reimbursable. Even when a modification is made within the meal pattern, ODE CNP recommends having a completed Meal Preference Request form on file for clarity in communication and to ensure safe and equal handling of all meal accommodation requests.

Note: The Meal Preference Request Form is not valid for non-school district sponsors participating in the SFSP if the request is for a milk substitution. These requests may only be made through the Medical Statement.

New ODE CNP Resources

ODE CNP has three new handouts on Meal Accommodations on the [ODE CNP Meal Accommodations and Modifications webpage](#). They include:

- Updated Meal Accommodations Quick Guide for Sponsors and Providers
 - This handout includes definitions and guidance on requirements related to meal accommodations in Child Nutrition Programs and is meant to guide Sponsors and Providers
- The Meal Accommodation Decision Tree
 - This tool that provides a visual guide on meal accommodation requests and the forms that will be required
- Requesting Meal Accommodations
 - This handout is a new document with information for Section 504/ADA Coordinators and the general public on meal accommodation requirements

If you need assistance or additional information, please contact your assigned Child Nutrition Specialist.

Sincerely,



Damasita Sanchez, School Nutrition Manager
Child Nutrition Programs
Office of Child Nutrition



Meghan Tschida, Community Nutrition Manager
Child Nutrition Programs
Office of Child Nutrition

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