

**Michigan Department of Education
Child and Adult Care Food Program**

Adult Day Care Component Program Information

Adult day care centers are eligible for the Child and Adult Care Food Program (CACFP) if the center meets the following requirements.

Adult day care centers (adult day services) shall provide a community-based group program designed to meet the needs of functionally impaired adults through an individual plan of care. Day care for the functionally impaired must be the primary purpose of eligible adult day care centers. The program must be a structured, comprehensive program that provides a variety of health, social and related support services to enrolled adult participants.

In Michigan, adult day care centers are not licensed, but must have approval from appropriate authorities such as the Michigan Department of Community Health or have current health and safety inspections.

Except for proprietary Title XIX or Title XX Centers, adult day care centers shall be public or have tax-exempt status under the Internal Revenue Code of 1986.

Private for-profit centers can participate only if they receive compensation under Title XIX or Title XX of the Social Security Act for at least 25% of adult participants. Documentation must be submitted with each monthly claim for reimbursement documenting 25% eligibility.

Definitions:

1. **Adult participant:** A person enrolled in an adult day care center that is functionally impaired or age 60 or over.
2. **Functionally impaired adult:** A chronically impaired disabled person, age 18 years or older, including victims of Alzheimer's disease and related disorders with neurological and organic brain dysfunction, which are physically or mentally impaired to the extent that their capacity for independence and their ability to carry out activities of daily living are markedly limited. Activities of daily living include, but are not limited to, adaptive activities such as cleaning, shopping, cooking, taking public transportation, maintaining a residence, caring appropriately for one's grooming or hygiene, or using telephones and directories, or using a post office. Marked limitations refer to the severity of impairment and not the number of limited activities and occur when the degree of limitations is such as to seriously interfere with the ability to function independently.
3. **Proprietary Title XIX Center:** Any private, for-profit center
 - a. Providing nonresidential adult day care services for which it receives compensation from amounts granted to the states under Title XIX of the Social Security act.
 - b. In which Title XIX beneficiaries were not less than 25% of the enrolled eligible participants in the calendar month preceding initial application or annual re-application for program participation.

4. **Proprietary Title XX Center:** any private, for-profit center (a)
 - a. Providing nonresidential adult day care services for which it receives compensation from amounts granted to the states under Title XX of the Social Security Act.
 - b. In which Title XX beneficiaries were not less than 25% of the enrolled eligible participants in the calendar month preceding initial application or annual reapplication for program participation.
5. **Family:** Program regulations define "family" in the case of adult participants, as the adult participant, and if residing with the adult participant, the spouse and dependent(s) of the adult participant. There may be instances in which a spouse of a dependent continues to be considered a part of the participant's family as long as his usual residence is with the participant. Functionally impaired adults living with their parents are considered a "family" separate from their parents for the purpose of determining family size and income.
6. **Income:** For the purposes of determining free and reduced price meal eligibility, includes earnings, wages, welfare, pensions, support payments, unemployment compensation, Social Security Insurance (SSI), and other cash income received or withdrawn from any source, including savings, investments, trust accounts, and other resources. Individual Retirement Account and Keogh withdrawals are considered income.

Site Requirements:

To be eligible for participation, an adult day care center who receives state or federal funding must be in compliance with Adult Day Care Standards issued by the Michigan Department of Community Health Michigan Office of Aging's (OSA) minimum State Services Standards for Adult Day Care along with the standards for adult day care centers set forth by the U.S. Department of Agriculture's (USDA) CACFP program requirements. Specifically, the center must:

1. Serve functionally impaired adults
2. Provide a structured, comprehensive program of health, social and related support services
3. Develop and maintain an individual plan of care for each enrolled participant
4. Retain proof of participant's age
5. Retain proof of participant's living arrangement

Title III Reimbursement:

Adult day care centers participating in CACFP may not claim a meal under both CACFP and part C of the Title III of the Older Americans Act of 1965. Additionally, if a center claims reimbursement for a meal under CACFP, it may not use any Title III funds to pay for the costs associated with that meal or vice versa. Further, commodities and/or cash-in-lieu of commodities, available under both programs, may not be received if the benefit is based upon the same meal for both programs.

In spite of this restriction, an adult day care center may use program funds to provide different meals within the same meal service or different meal types (breakfast, lunch, snack or supper). This flexibility, however, results in requiring that accounting and other necessary program records be maintained separately to ensure that federal funds are not duplicated by various federal programs.

Application for Free and Reduced-Price Meal Eligibility:

Program regulations require that a *Household Income Eligibility Statement Application* be on file for each participant receiving free or reduced-price meals benefits. Income information on file at the center is not acceptable in place of a current and complete *Household Income Eligibility Statement* (HEIS).

Given the population served by the adult day care provision of CACFP, it is unlikely that it would be necessary for an adult day care center official to complete a HEIS for a program participant. In most cases, the functionally impaired or elderly adult who is not able to complete a HEIS for herself/himself would have a family member or guardian complete the application for her/him. A family member refers to any family member regardless of residence, financial relationship or dependence on the participant.

Should a center enrollee be unable to complete the HEIS and, if no family member or guardian is available to complete it for her/him, the center may, with the concurrence of Michigan Department of Education (MDE), complete an application of the enrollee's behalf, if the enrollee is categorically eligible for free meals receiving SNAP (aka "food stamps"), Medicaid or SSI. The participant's file must contain documentation of her/his categorical eligibility.

In situations where a family member, guardian, or adult day care center staff member completed the application on behalf of an impaired participant, the individual signing the application should indicate what her/his relationship to the participant. This written notation, however, cannot be required in order for the form to be valid for approval or denial proposes.

Meal Service Requirements:

Each adult day care center participating in CACFP shall serve one or more of the following meal types: breakfast, lunch, supper, and snack(s). Reimbursement shall not be claimed for more than two meals and one snack or for one meal and two snacks per day for each participant. Menus must be maintained to document compliance with CACFP Meal Pattern Requirements.

Program regulations allow substitutions to be made in food items required by CACFP meal patterns if individual participants are unable, due to medical or other special dietary need(s), to consume such foods. A statement from a recognized medical authority must support the substitution's medical needs and be in the participant's file. Separate, individual menus are not maintained for each special dietary need.

Offer vs. Serve:

Each adult day care center shall offer its participants all of the required food component servings shown on the Adult Food Meal Pattern Requirement chart. However, at the discretion of the adult day care center, adult participants may be permitted to decline:

1. One of the four food components (one milk, one vegetable and/or fruit, and two servings of bread or bread alternate) at breakfast
2. Two of six food components (one milk, one vegetable and/or fruit, two servings of bread or bread alternate, and one serving of meat/meat alternate) required at lunch
3. Two of five food components (two servings of vegetable and/or fruit, two servings of bread or bread alternate, and one serving of meat/meat alternate) required at supper

The price of a reimbursable meal shall not be affected if an adult participant declines the food item.

Recordkeeping:

In addition to maintaining HEIS each adult day care center shall maintain daily records of the number of meals by type (breakfast, lunch, snack, or supper) served to enrolled participants. If the center has clients living in a residential institution or clients under age 60 without a functional impairment, it must have a system to prevent claiming meals served to ineligible persons. Daily attendance records are also a requirement. Meal participation records and attendance sheets should list participants by last and first name, in alphabetical order. CACFP institutions must also document program expenses and maintain a non-profit food service account.

Please note the following are among the documents that must be submitted at the time of application before participation will be granted:

1. Financial statements (Income statement and balance sheet)
2. A copy of tax-exempt status (501(c)(3) Determination letter) issued by the Internal Revenue Service, if applicable, or a Proprietary Certification (For-profit entities)
3. Current health and fire inspections
4. Current Board of Director listing

A Child Nutrition Program (CNP) Agreement must be executed between the institution and MDE. The on-line application process is complex; it is not a simple checklist for MDE review. The on-line application includes a detailed management plan as to how the sponsor will operate the program, information on the organization's governing board and administrative structure, and an administrative budget. In order for your organization to participate in CACFP, the management plan and budget must demonstrate financial viability, administrative capability and program accountability. The following USDA Standards must be met:

- The sponsor can clearly demonstrate in its management plan that the organization and its principals have sufficient experience to ensure financial viability
- The sponsor commands adequate resources to ensure the effective management CACFP. It must also command adequate outside resources to support its non-CACFP activities
- The sponsor must be financially sound and administratively capable
- The sponsor is accountable for the program to be conducted in compliance with USDA regulations and MDE guidance

Thank you for your interest in the Child and Adult Care Food Program.

In Michigan, CACFP is administered by the Michigan Department of Education, Office of School Support Services. For additional information, call 517-241-5353 or write to:

Child and Adult Care Food Program
Office of School Support Services
Michigan Department of Education
P. O. Box 30008
Lansing MI 48909

Non-Discrimination Statement:

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at 800-877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) (http://www.ascr.usda.gov/complaint_filing_cust.html) online, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call 866-632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: 202-690-7442; or (3) email: program.intake@usda.gov. This institution is an equal opportunity provider.

Eligibility Requirements:

All adult day service centers must have Federal, State or local adult day care approval. A county operated facility is deemed to meet the approval requirements. Centers must maintain an individual plan of care for each functionally impaired participant. All participants must receive a structured, comprehensive, community-based program of health, social and related support services to all participants.

Private centers (except for-profit Title XIX and XX organizations) must have Federal tax-exempt status under the Internal Revenue Code of 1986 at the time they apply for the CACFP. Local Internal Revenue Service offices can provide information on how to obtain tax-exempt status.

Meal Service:

All participating centers must serve meals which meet CACFP adult meal pattern requirements specified in program regulations. Reimbursable meals include breakfast, lunch, supper and snacks. Centers may be approved to receive reimbursement for up to two meals and one snack or one meal and two snacks for each eligible adult participant each day. Centers must maintain a nonprofit food service.

Reimbursement:

Program payments to adult day care centers are limited to the number of meals served to eligible enrolled adults multiplied by the appropriate rate of reimbursement. The rate of reimbursement varies according to the family size and income of eligible adults. Increased reimbursement is provided for free and reduced eligible adults. The rates of reimbursement are available on the MDE CACFP website (www.michigan.gov/cacfp).

Centers cannot receive benefits of reimbursement from both the CACFP and Title III of the Older Americans Act, as amended, for the same meal served.