



United States
Department of
Agriculture

Food and
Nutrition
Service

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DATE: August 7, 2012

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SUBJECT: Participant Eligibility in the Adult Day Care Component of the
Child and Adult Care Food Program

TO: Regional Directors
Child Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All Regions

The adult component of the Child and Adult Care Food Program (CACFP) was authorized by The Older Americans Act Amendments of 1987 and codified in 7 CFR §226.19a. The purpose of this memorandum is to provide updated guidance relating to the adult day care component of the CACFP. Previous guidance relating to adult day care was issued immediately following the addition of the adult day care component to CACFP by Congress. Since that time, much of the guidance has been incorporated into the CACFP regulations. This guidance is meant to update, clarify, and consolidate previous guidance addressing adult day care participant eligibility. As such, this memorandum supersedes the following CACFP memoranda:

- Child Care Food Program Adult Day Care Provisions: Operational Memorandum 2 – Participation of Institutionalized Adults, March 15, 1989
- Child Care Food Program Adult Day Care Provisions: Operational Memorandum 3 – Center Eligibility, March 16, 1989
- Child Care Food Program Adult Day Care Provisions: Operational Memorandum 8 – Center and Participant Eligibility, April 03, 1989
- Child Care Food Program Adult Day Care Provisions: Operational Memorandum 2, Revision 1 – Institutionalized Adults, September 15, 1989
- Child and Adult Care Food Program: Adult Day Care Provisions Operational Memorandum 17 – Plans of Care, May 16, 1991

Specifically, this memorandum clarifies the purpose of the adult day care component of CACFP and participant eligibility. This guidance is intended only for the purposes of administering the adult day care component of CACFP for eligible individuals.

Purpose of Program

Adult day care centers are considered eligible institutions for reimbursement for meals served to persons 60 years of age or older or to functionally impaired persons in a nonresidential group setting (42 USC 1766(o)(1)).

The purpose of the adult day care component of CACFP is to provide nutritional support to enable elderly and functionally impaired adults to remain in the community and avoid premature institutionalization. In previous guidance, we indicated that eligible individuals are those who (1) remain in the community and (2) reside with family members or other caregivers who would benefit from the respite which adult day care services could provide. However, it is clear that many frail, elderly adults, as well as functionally impaired adults, live in the community on their own. Therefore, we believe it is appropriate to define individuals remaining in the community as those residing either in their own home or in the home of a family member, guardian, or other caregiver. This memorandum is intended to clarify that CACFP benefits are not limited to those individuals who are living with caregivers, but also extends to eligible individuals who are able to live on their own in the community with the support of adult day care services.

Participant Eligibility

The CACFP regulations define an adult participant as "...a person enrolled in an adult day care center who is functionally impaired or 60 years of age or older" (7 CFR §226.2(c)).

Additionally, the CACFP regulations define functionally impaired adults as "...chronically impaired disabled persons 18 years of age or older, including victims of Alzheimer's disease and related disorders with neurological and organic brain dysfunction, who are physically or mentally impaired to the extent that their capacity for independence and their ability to carry out activities of daily living is markedly limited" (7 CFR §226.2(c)).

An "enrolled eligible participant" is an individual enrolled with a center to receive adult day care services. Any enrolled individual eligible for CACFP benefits (i.e., functionally impaired or 60 years of age or older) must be included in all enrollment counts for the purposes of determining CACFP eligibility and receipt of Program reimbursement.

"Drop-in" adults who eat meals at a center but are not enrolled to receive care at the center are not eligible. Meals served to center volunteers, regardless of age, who help with the meal service or other center activities are not eligible for reimbursement unless they are actually enrolled at the center and meet CACFP eligibility requirements.

Additionally, because the Program is intended to benefit adults living in the community, enrolled participants who reside in a residential facility are not eligible for participation. However, residential facilities may serve meals to eligible enrolled adults that live in the community and

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attend the facility for day care. Individuals residing in an institution on a temporary basis for respite care, crisis intervention, or other reasons are not eligible for CACFP benefits until they have returned to their permanent residence in the community.

Plans of Care

Adult day care centers are required to provide an individual plan of care for each enrolled functionally impaired participant. Such a plan must demonstrate a center's ability to provide a variety of health, social, and supportive services for its enrolled participants (7 CFR §226.19(a)(2)). For CACFP purposes, participating centers do not need an individual plan of care for participating adults 60 years of age or older who are not functionally impaired. They must, however, have a plan for each functionally impaired participating adult.

Program operators should direct any questions regarding this memorandum to the appropriate State agency. State agency contact information is available at <http://www.fns.usda.gov/cnd/Contacts/StateDirectory.htm>. State agencies should direct questions to the appropriate Food and Nutrition Service Regional Office.

Original Signed

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Director

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