



PROGRAM INSTRUCTION

SUA-21-PI-02

08/27/2020

Rescinds: SUA-20-PI-23

TO: Subrecipients of the State Unit on Aging

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SUBJECT: Home-Delivered Meals Instructions

CONTENT: Proposed nutrition regulations continue to progress through the review and approval process. In the interim, this guidance is being issued to assist agencies with nutrition programs. Eligibility for Home-Delivered Meals is determined almost entirely by states and local entities. According to ACL, the only federal eligibility for participation is age, a person must be 60 years of age to participate.

The State Unit on Aging's eligibility requirements for Home-Delivered meals is as follows:

- Individual must be 60 years old or older & unable to attend a Congregate Meal, OR
- Spouse of an Eligible Individual (60 years or older that is unable to attend a Congregate Meal), OR
- Dependent Individual with Disability that lives with an Individual an Eligible Individual (60 years or older that is unable to attend a Congregate Meal)

Each Area Agency on Aging determines their own definition of how "unable to attend a congregate meal" participant is defined. This should take into preference the following guidance and provisions.

According to: ((C.F.R 1321.69), (C.F.R §1321.65), and (OAA SEC. 306 (a) (1))
Preference is to be given to those who are:

- frail,
- homebound by reason of illness or incapacitating disability or otherwise isolated,
- low-income older adults,
- including low-income minority older adults,
- older adults with limited English proficiency, and
- older adults residing in rural areas.

SUA-18-PI-10 Home-Delivered Meals Assessment program instructions provide the determination of eligible individuals for home-delivered meals requires older adults to be homebound, and physically, mentally or medically unable to attend a congregate nutrition program in accordance with the Area Agency on Aging's program assessment and guidelines.

General Provisions (OAA SEC. 339 (2) (H)) and (OAA SEC. 339 (2) (I)) ensures that meals may be offered to volunteers during meal hours on the same basis as a participating older individual. Individuals with disabilities are also eligible, regardless of age, who reside at home with eligible individuals and are dependent on them for care. These provisions also ensure that these services will be available to the spouse of an eligible individual.

Home-delivered meals may be hot, cold, frozen, or shelf stable. More than one meal may be delivered for consumption each day if they are for different meal times, provided proper storage and heating equipment is available in the home, and the client is able to consume the second meal either alone or with available assistance.

Equipment used for home-delivered meals should maintain safe and sanitary handling of food items during packaging and transport. Cold and hot foods should be packaged separately to maintain appropriate and safe temperatures. Equipment and food packages should maintain proper food temperatures in accordance with the Nebraska Food Code section 2-103.11. Home-Delivered Meal equipment as well as food packages need to be durable and able to prevent physical and chemical contamination.

Guests are those who accompany eligible individuals in the home, but are ineligible per all applicable law and regulations. Fees for Home-Delivered Meals to "Guests" are required. These fees are to be used to expand the service for which the fees were given.

Home-delivered meals are to be delivered directly to the individual recipient of the meal. Providers are to document each meal as being either delivered or not

delivered. Should the individual recipient not be present at the time of delivery, the providing agency is not to leave the meal. Providers should handle undelivered meals in accordance with its policy.

It is imperative that those delivering meals communicate any concerns regarding client health, fire or safety hazards identified in the home when and if discovered. The provider should also retain documentation of such hazards identified in the home.

Home-delivered meal clients will be provided with contribution statements that clearly state that the amount is a "suggested" contribution. The statements will not include the word bill, requested, required, or other language implying that it is not voluntary. Statements should clearly define to clients that there is no obligation to contribute, that the contribution is purely voluntary and that services will not be denied due to non-contribution.

For additional resources regarding these program instructions, please refer to these links:

(Code of Federal Regulations)

https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=fe5d0345b47f13702e68abe3ab6f4499&ty=HTML&h=L&mc=true&n=pt45.4.1321&r=PART#se45.4.1321_169

(The Older Americans Act)

<https://legcounsel.house.gov/Comps/Older%20Americans%20Act%20Of%201965.pdf>

(The Nebraska Food Code)

http://www.nda.nebraska.gov/regulations/foods/food_code.pdf

(U.S Food and Drug Administration Food Code 2017)

<https://www.fda.gov/downloads/Food/GuidanceRegulation/RetailFoodProtection/FoodCode/UCM595140.pdf>

(Home-Delivered Meal Assessment)

<http://dhhs.ne.gov/medicaid/Aging/Documents/SUA-18-PI-10%20Home-Delivered%20Meals%20Assessment.pdf>

(DETERMINE your Nutrition Health)

<https://www.aarpmedicareplans.com/partner/aarpmedicare/pdf/hctarticles/determine-your-nutritional-health.pdf>

If you have questions, please contact Erik at 402-471-4732 or Ben at 402-471-4555 or Attn: Erik or Ben at DHHS.aging@nebraska.gov