



Georgia Department of Early Care and Learning

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To: All Institutions Participating in the Child and Adult Care Food Program (CACFP)

From: Louis Brienza, Director

Date: February 17, 2011

Re: Child Nutrition Reauthorization 2010-Regulatory Changes for CACFP

The purpose of this memorandum is to notify all Institutions of some revisions that have been made to CACFP regulations as a result of the recent law, The Healthy, Hunger-Free Kids Act of 2010 (Public Law 111-296).

The Healthy, Hunger-Free Kids Act (The Act) modified the following requirements:

- **Expansion of At-Risk Afterschool Meals in the Child and Adult Care Food Program (CACFP)**

Section 125 of the Act extends eligibility for at-risk afterschool meal reimbursements to all States participating in the CACFP. Previously, reimbursement for at-risk afterschool snacks were available in all States; however, only 14 designated States were allowed to reimburse for meals, typically suppers, in afterschool care programs. Effective October 1, 2010, all institutions participating in the at-risk afterschool care program are eligible to claim reimbursement at the free rate for up to one snack and one meal served to each eligible participant per day. At-risk afterschool meals and snacks must be served free of charge and are reimbursed at the applicable free rates (7 CFR Part 226.17a(n)).

Institutions participating in the outside school-hours-care component of CACFP may be eligible to convert to the at-risk afterschool care component and receive retroactive reimbursement. Outside School-Hours-Care Programs that have served suppers without reimbursement, that have served children older than 12 without reimbursement, or that have received a lower rate of reimbursement (the paid or reduced price rate) for meals served may be eligible for retroactive payment to October 1, 2010.

At-risk Afterschool Care or Outside School-Hours-Care Programs currently participating in the CACFP that have documentation to support that it served reimbursable meals to eligible

children on or after October 1, 2010, may amend their claims for the months of October, November and December 2010, to be reimbursed for those meals retroactively.

**In order to file claims for at-risk meals, institutions will need to modify their current 2011 CACFP application via CNP 2000. Institutions must ensure that all site applications reflect at-risk participation, and be approved to serve meals at each site. Once site application modifications are complete and approved, institutions will be able to file a valid claim for reimbursement.**

Institutions that **have not** exhausted all available claim revisions must submit claim adjustments via CNP 2000. Institutions that have exhausted all available claim revisions (one original claim and two revisions) must submit manual claim revisions by completing a paper claim form. Institutions in need of a paper claim form or that have questions concerning claim revisions, must contact the Finance Unit at 404.656.3325. **All final claim revisions for meals served in October, November, and December 2010 must be submitted to Bright from the Start no later than February 28, 2011.**

**Note:** Bright from the Start's CACFP policy 07-34, entitled *Eligibility Requirements for Participating in the At Risk Afterschool Care Program*, Childcare Center and Administrative Sponsor Handbooks are pending revision. All revised policies and guidance materials will be accessible via Bright from the Start's website at [www.decal.ga.gov](http://www.decal.ga.gov).

- **Categorical Eligibility of Foster Children**

Section 102 of the Act amends Section 9(b)(12(A) of the Richard B. Russell National School Lunch Act (NSLA) to provide categorical eligibility for free meals, without further application, to any foster child whose care and placement is the responsibility of the state or who is placed by a court with a caretaker household. In addition, the Act amends Section 9(b)(5) of the NSLA to allow certification of a foster child for free meals, without application, if the local education agency or other child nutrition program institution obtains documentation from an appropriate State or local agency indicating the status of the child as a foster child whose care and placement is the responsibility of the state or who is placed by a court with a caretaker household. **This provision is effective October 1, 2010.**

This change to allow categorical eligibility for free meals for foster children will require a change in the way free and reduced price applications (income eligibility statements) are handled. Previously, a separate application for free and reduced price meals was submitted for foster children who were considered a household of one. Now, the foster child is categorically eligible and may be certified without an application. Households with foster and non-foster children may choose to include the foster child as a household member, as well as personal income earned by the foster children, on the same household application that includes their non-foster children. This will streamline the application process and may help the foster family's non-foster children qualify for free or reduced price meals based on household size and income.

When processing the income application, the local education agency or the CACFP institution would certify the foster child for free meals, and then make an eligibility determination for the remainder of the household based on the household's income (including personal income earned by the foster child) or other categorical eligibility information reported on the income application. As before, foster payments received by the family from the placing agency are not considered income and do not need to be reported. **Note: the presence of a foster child in the household does not convey eligibility for free meals to all children in the household in the same manner as the Supplemental Nutrition Assistance Program (SNAP), the Temporary Assistance for Needy Families (TANF), and Food Distribution Program on Indian Reservation (FDPIR) participation does.**

CACFP institutions should implement this change as soon as possible for any new foster children identified by foster agencies or who submit applications for the remainder of this school [fiscal] year. Bright from the Start has modified its Income Eligibility Statement (IES) to accommodate this regulatory provision. For a copy of the IES form, please access Bright from the Start's website at <http://www.decal.ga.gov/documents/attachments/IncomeEligibilityStatement.pdf>.

- **Elimination of Block Claim Edit Checks in the CACFP**

Section 331 of the Act eliminates the requirement of sponsoring organizations to conduct block claim edit checks and eliminates the requirement to meet the follow up review requirements associated with the detection of block claims. **This amendment is effective immediately, and rescinds Bright from the Start's policy memorandum entitled Block Claiming Follow up Review Guidance dated September 18, 2006.**

**Note:** Although sponsors are no longer required to conduct edit checks or conduct unannounced reviews related to block claims, sponsors are required to conduct sponsor-level edit checks, which includes verifying the facility is claiming only the approved meal types in accordance with 7 CFR 226.10(c)(1), and validating claim submissions by comparison of enrollment, days of service and total meal claims in accordance with 7 CFR 226.10(c)(2).

- **Social Security Number Requirement Amendment**

Section 301 of the Act amends section 9(d)(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(d)(1)) by removing the requirement that the adult household member who signs a household application for free and reduced-price meals also must provide his or her complete Social Security Number (SSN), as a condition to eligibility. As amended by the Act, Section 9(d)(1) now requires that **only the last four digits of SSN** must be provided on that application. The Act also removes the requirements that the SSN of each household member be collected to verify application. **This provision is effective October 1, 2010. Therefore, all household applications and supporting materials must be updated to reflect these requirements as soon as possible, but no later than July 1, 2011.**

Bright from the Start has modified its Income Eligibility Statement (IES) to accommodate this regulatory provision. For a copy of the IES form, please access Bright from the Start's website at <http://www.decal.ga.gov/documents/attachments/IncomeEligibilityStatement.pdf>.

For questions concerning information in this memorandum, please contact the Policy Administrator at 404.651.7181.