



## Small Business Restaurant Initiative *Guidance for CARES Act Title III-C2*

May 22, 2020

This guidance is for area agencies on aging (AAA) on administration, planning and reporting of CARES Act funds to support the *Small Business Restaurant Initiative*.

### Goal of the Initiative:

This initiative seeks to accomplish the following objectives:

1. Spur local investment in the economic sector significantly impacted by COVID-19;
2. Increase small business restaurant investment; and,
3. Meet the increased demand of older adults receiving nutrition services.

### Program Overview

AAAs will receive CARES Act funds to support Title III-B (*Supportive Services*), Title III-C2 (*Home-Delivered Nutrition Services*) and Title III-E (*National Family Caregiver Support Program*). AAAs shall allocate **at least** 35 percent of CARES Act Title III-C2 funds to support *Small Business Restaurant Initiative* within their planning and service area (PSA).

In accordance with policy [AAA Funding Formula \(108-FIS-14\)](#), AAAs shall use their designated funding formula to allocate funds appropriately. These allocations are outlined below.

AAA	Title III-C2 Allocation	35% Minimum Support
1	\$1,777,306	\$622,057
2	\$1,501,187	\$525,415
3	\$445,405	\$155,892
4	\$1,124,895	\$393,713
5	\$656,581	\$229,803
6	\$1,737,057	\$607,970
7	\$573,233	\$200,632
8	\$329,877	\$115,457
9	\$660,469	\$231,164
10A	\$2,942,731	\$1,029,956
10B	\$1,492,501	\$522,375
11	\$978,303	\$342,406

*Fostering sound public policy, research, and initiatives that benefit older Ohioans.*

Administration of the program, including developing contracts, enrolling older adults, and WellSky reporting shall be completed by the AAA. AAAs should prioritize eliminating home-delivered meal waitlists, enrolling new consumers, and providing additional meals to any high-risk, vulnerable consumers.

AAAs may administer the *Small Business Restaurant Initiative* in various ways. AAAs are encouraged to customize the initiative to support local restaurants and home-delivered meal consumers within their PSA. Local restaurants shall prepare the meals and may deliver meals to consumers. However, local restaurants may also contract with local partners to support consumer meal delivery, including:

- Meal delivery services (DoorDash, Grubhub, Uber Eats, Postmates, etc.);
- Traditional home-delivered meal service providers for delivery;
- Transportation providers (senior centers, mobility managers, adult day providers, etc.); and/or
- Local volunteers or volunteer organizations.

Restaurants may also offer limited contact, stagger pick up options for consumers.

### Program Parameters

Funding must be used to support local, small business. For purposes of this project, small businesses are defined as restaurants with 50 employees or less. At **least 35 percent** of CARES Act funds must be allocated to support these local establishments. AAAs may only contract with a franchised establishment only after the 35 percent minimum has been allocated to local restaurants.

Contracted restaurants must be routinely inspected by the local health department and must be in good standing and compliance with local regulations. If a restaurant is unable to deliver meals, they may contract with a delivery service or a traditional home-delivered meal service provider. ODA strongly encourages background checks for contracted delivery personnel. Restaurant home-delivered meals shall comply with ODA recommendations related to frequency of meal delivery and waiving consumer signature requirements.

Through the established monthly request for funds process, AAAs are permitted to request up to a 20 percent advance of funds to support this initiative. This advance may help to expedite the contracts and funding to local restaurants. Expedited funds will not only increase interest in recruiting local restaurants but serve an as much need opportunity for local restaurant to begin recovering from losses due to COVID-19 business closures. To ensure a timely response to community needs, AAAs shall spend 10% of total funding within the first 30 days.

The abbreviated, 2-item assessment for any new home-delivered meal consumers shall be completed. Abbreviated assessments may be completed over the phone or through an online/virtual format. All NAPIS reporting requirements, including poverty reporting information must be input within 90 days after ODA removes the emergency management guidelines. ODA encourages AAAs to manage all reporting requirements within WellSky.

The Older Americans Act does not allow cost-sharing for nutrition services, but allows voluntary, noncoercive contributions from older adult consumers. AAAs should provide pre-paid, stamped envelopes so consumers may send contributions via check through the mail. AAAs shall manage the voluntary contribution process. This shall not be a function of the contracted restaurant(s).

ODA will prepare suggested contract language for use when developing AAA contracts with restaurants. This contract language will serve only as an informational example. AAAs shall develop actual contracts, as additional, or different, AAA-specific terms may apply.

## **Outreach to Local Restaurants**

AAAs are provided the flexibility to identify restaurants to participate. Following Governor DeWine's [Executive Order 2020-01D](#), to suspend purchasing and contracting requirements, competitive bidding requirements have been deferred for purposes related to enabling emergency delivery of services, including implementation of this program.

When determining a restaurant's ability to meet program deliverables, AAAs should consider the delivery capacity of the restaurant, along with the reach of their service area. Restaurants who can deliver meals will not strain the current system of home-delivered meal provider and/or volunteers. Additionally, AAAs are encouraged to evaluate a restaurant's reach to serve rural, under-served, or distressed areas and populations that present a current challenge to serve.

Clear, wide-reaching messaging will be critical to the success of this program. ODA Communication and Government Outreach team is developing a brand to support the *Small Business Restaurant Initiative*. ODA will develop template materials for AAAs to use to recruit restaurants, engage consumers, and promote the program throughout their PSA.

ODA is committed to providing AAAs with collateral materials to support this program, including but not limited to:

- Restaurant applications
- Branding guidelines
- Sample press release
- Sample social media messaging
- Posters/flyers
- Nutrition education materials

## **Consumer Eligibility**

In accordance with the [Older Americans Act of 1965 \(Amended\)](#) and ODA policy [Service Priority to Specific Client Groups \(105-SVC-01\)](#), this program shall support services provided to older adults age 60 and over with greatest economic and social need, with special emphasis on low-income minority individuals. AAA outreach efforts shall identify individuals eligible with special emphasis on older adults: residing in rural areas; with greatest economic need; with greatest social need; with severe disabilities; with limited English-speaking ability; and with Alzheimer's disease or related disorders.

Additionally, in accordance with [OAC 173-4-02](#), consumers must meet one of the following requirements:

1. A consumer is 60 years of age or older and is unable to prepare meals and lacks a meal support;
2. The spouse of the above-mentioned consumer;
3. A volunteer who provides volunteer services to the above-mentioned consumer;
4. A person with disabilities who resides in the home of the above-mentioned consumer; and/or
5. A person with disabilities who resides in a non-institutional residential building, but only if the building's residents are primarily 60 years of age or older and receiving OAA meal services.

## Meal Requirements & Costs

Guidelines under the CARES Act do not require disaster relief meals and meals purchased with supplemental funding to meet Dietary Reference Intakes (DRIs) and/or Dietary Guidelines for Americans (DGAs). However, ACL and ODA encourage the use of DRIs/DGAs to maintain health and manage chronic disease and should **only** be waived in cases of food supply issues. It is encouraged that meals continue to meet 1/3 (33%) caloric requirements for older adults. It may be helpful to review [The National Resource Center on Nutrition & Aging: 1/3 Calorie Intake Requirement During COVID-19](#).

In addition, to the extent practical, AAAs and restaurants should coordinate to ensure meals are adjusted to meet any special dietary needs of consumers.

Delivered meals can include “cold” meals such as salad, sandwiches, and wraps. Meals can be breakfast, lunch, or dinner. Food safety guidelines, including food temperature standards must be followed and adhered to from meal preparation to delivery.

ODA has developed meal cost limits. Established meal costs will ensure consumers are provided with nutritionally rich, high-quality meals while providing sufficient payment for the service. AAAs may request to waive meal costs limits if there are any extraordinary circumstances.

Established meal cost limits are as follows:

- Meal costs for **frozen meals** shall not exceed **\$8.00/meal**
- Meal costs for **hot meals** shall not exceed **\$10.00/meal**.
- Meal costs can extend to **\$12.00/meal, if delivery** is included.

## Questions

AAAs are encouraged to connect with Ashley Davis ([ADavis@age.ohio.gov](mailto:ADavis@age.ohio.gov) / (614) 719-9227) with additional questions or concerns.