



OAA Nutrition Services *Frequently Asked Questions*

March 13, 2020

The following guidance is effective March 13, 2020 and shall remain in effective until the Executive Order is removed. For additional details, please refer to the *OAA Services Provisions- Guidelines during Pandemic*.

1. Q: How can congregate meal providers plan for emergency closings?

A: To prepare for emergency closings, providers must distribute information to consumers on how to stock an emergency food shelf. Providers must also give consumers reasonable notice before a scheduled mealtime when a congregate dining location will be closed due to emergency. Providers may notify consumers using broadcast media, by using its website, by telephone, or by any combination of the three.

2. Q: How can home-delivered meal providers plan for emergency closings?

A: To prepare for emergency closings, providers are required to develop and implement written contingency procedures for emergency closings. Providers must distribute information to consumers on how to stock an emergency food shelf or distribute shelf-stable meals to consumers for an emergency food shelf. Additionally, providers should provide timely notification of emergency situations to all consumers.

3. Q: Can a home-delivered meal provider move to periodic delivery of meals?

A: Yes, a provider may elect to suspend daily meal deliveries and temporarily transition to periodic delivery. Periodic delivery includes delivering meals to cover multiple mealtimes in one meal delivery, include weekly deliveries. Consumers should be notified of with any changes to meal delivery. Period delivery may include refrigerated, frozen, and/or shelf-stable meals.

4. Can AAAs transfer funds to increase home-delivered meals?

A: AAAs may transfer Title III-B funds to provide nutrition services, including home-delivered meals. If planning to use Title III-B funds for this service, AAAs must continue to allocate a minimum of five percent of Title III-B funds for priority services, that include Access Services, In-Home Services, and Legal Services. AAAs may request a waiver for Title III-B priority service funds, if necessary. AAAs may transfer up to 30 percent in between program under parts B and C.

Additionally, AAAs may transfer up to 40 percent in between programs under C1 and C2. AAAs should complete and submit an Area Plan budget transfer request form to ODA to transfer any Title III funds.

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5. Q: What other funding can be used to provide nutrition services to consumers?

A: In addition to Title III-C funding, AAAs and nutrition service providers may explore other funding sources, including Title III-B, Nutrition Services Incentive Program (NSIP), Senior Community Service (SCS), and/or local senior levies, if available.

For additional details, please refer to the *Older Americans Act Emergency Management Guidelines*.

6. Can congregate meal consumers become a home-delivered meal consumer?

A: Yes, however before enrolling a consumer, the service provider must first verify that the home-delivered meals are eligible for payment under OAA.

During the period of the Emergency Order, abbreviated assessments may be completed via telephone or online format. No direct, in-person observation is required. To determine initial eligibility, abbreviated assessment must include evaluation of consumer's ability to prepare meals and if they lack another meal support service in their home or community. All NAPIS reporting requirements, including poverty reporting information, must be input within 90 days after ODA removes emergency management guidelines.

7. Q: Are home-delivered meal providers required to obtain consumer signature upon delivery?

A: During the period of the Emergency Order, consumer signature is not required for meal delivery verification. Providers must obtain visual confirmation that meals have been received by the consumer. Meals should not be left at door if consumer is not home.

8. Q: Will the nutrition requirements of provided meals be relaxed?

A: No, Title III-C1 and C2 funded meals must comply with the 2015-2020 Dietary Guidelines for Americans. The provider must provide a meal that satisfies at least one-third of the Dietary Reference Intakes (DRIs). To the extent practical, the provider must ensure meals are adjusted to meet any special dietary needs of consumers. At current time, there does not exist a need to relax nutrition requirements. In the event of insufficient food supply or a decreased capacity of food vendors, these concerns will be expressed to ACL.

However, during this time, ACL will allow the use of Title III-B funds to purchase meals that may or may not meet the DRI requirements to ensure access to meals.

9. Q: Can a meal site move to a temporary food facility such as a firehouse, church, parks and recreation, etc. in case of emergency?

A: Yes. The State Unit on Aging (SUA) and Area Agency on Aging (AAA) should ensure current policy and procedures address procedures for moving a nutrition site in case of emergencies. Older Americans Act (OAA) provides guidance on the types of structures permitted as a meal site. Program providers should work with local health authorities to assure that their requirements (for example, an application and inspection) for temporary food facilities are met. If the meals meet the requirements for meals served through the OAA, they can be counted for Nutrition Services Incentive Program (NSIP) and Title 3 funding.

For reference: OAA SEC. 339. NUTRITION A State that establishes and operates a nutrition project under this chapter shall—(2) ensure that the project—(A) provides meals that—(F) comply with applicable provisions of State or local laws regarding the safe and sanitary handling of food, equipment, and supplies used in the storage, preparation, service, and delivery of meals to an older individual.

10. Q: Could a meal site shut down and offer meals at another meal site location?

A: Yes, if a nutrition program (i.e. a provider that serves numerous meal sites within a geographic area) has to close down a site on a particular day for an emergency, they may move the meal site to another location within their jurisdiction. They may do so provided there is an open meal site that day within their catchment area that can accommodate the additional participants. If the meal site is a distance from the original location, transportation should be provided to ensure seniors can attend the alternative meal site location. If transportation is not an option due to the magnitude of the emergency, then other options should be explored such as setting up a temporary food facility or encouraging program participants to consume available shelf stable/ emergency meals.

11. Q: When are providers allowed to distribute emergency meals to program participants for planned emergencies?

A: The OAA does not address this issue. States and programs can determine for themselves the best time to distribute emergency meals. It is generally good practice to have them in the participant's home prior to when service interruptions are anticipated to occur. Program participants should be informed about the use of these meals, and these meals should be consumed within one year or according to expiration dates. All meals should be date labeled.

12. Q: If a congregate nutrition provider has an emergency and they use shelf-stable meals, can those meals be counted as NSIP meals?

A: Yes, in emergency situations only (remember: the purpose of congregate nutrition program includes socialization), these meals can be counted as NSIP (assuming, of course, that the shelf-stable meals are domestically-produced and program participants meet NSIP requirements). A provider cannot, on a routine basis, count shelf-stable meals as NSIP meals. A prudent program administrator would count the meal when it is served.

13. Q: If a nutrition provider wants to send a congregate meal home with a senior, can it be counted as an OAA Title III C-1 meal?

A: Yes, Title III-C1 funds may pay for *occasional* carry-out meals, including meals sent home with consumers to prepare for an anticipated closing of a congregate meal site or necessity due to other emergency management situations, including outbreaks and health epidemics.

14. Q: Are any accommodations ever made by ACL regarding NSIP funding for disasters?

A: NSIP reimbursement is based on the previous year's meals served, so it is possible that you may see a funding decrease as a result of your emergency. If a state reports a decrease greater than 10%, they are required to submit a variance explanation. The variance explanation briefly describes the cause for the decrease.

To limit the impact of serving fewer meals, a nutrition provider may deliver shelf-stable, grab and go, frozen, drive through, etc. meals to home-delivered meal program clients to be consumed on those days when service may be disrupted. In the event of an emergency where Title III C program participants consume their shelf-stable meals, the nutrition provider may deliver additional meals to replenish those consumed during the emergency event. Then the provider may count those replenished meals as NSIP meals (if the meals and the program participants meet NSIP requirements). The shelf-stable, grab and go, frozen, drive through, etc. meals can be counted when they are delivered, as it would not be possible to know when the meals actually are consumed.

15. Q: Can the Title III-C meal be served outside of the lunch hour to accommodate the additional logistics that may arise as a result of the emergency?

A: Yes. AAA should consult with local service providers to decide the best time of service considering the local need for lunch, dinner or even breakfast programming.

16. Q: In the event senior centers are closed, what alternative methods can be used to provide meals?

A: AAAs should work with their local health department and/or emergency management (COOP) to determine the best method to provide meals in the event of a closure.

“Grab and go” and “drive-up” meals can be provided; however, meals that are delivered or consumed in-home are not reimbursable by Title III-C1 funds. Shelf-stable, frozen, grab and go, drive-up, and drive-through meals may be paid for from Title III C-2 funds if program requirements are met.

Additionally, NSIP funds may be used to pay for these meals if the meals and the program participants meet NSIP requirements. To cover increased demand for home-delivered or any meal that is to be consumed in the home, AAAs may transfer Title III funds.

REFERENCES

The National Resource Center on Nutrition and Aging. *Frequently Asked Emergency Management Questions for Aging Services Professionals at the State and Local Levels.*

<https://nutritionandaging.org/wp-content/uploads/2019/06/Emergency-Preparedness-FAQs-for-Aging-Services-Professionals-Final-For-Webinar.pdf>

The National Resource Center on Nutrition and Aging. *Nutrition Services Frequently Asked Emergency Management Questions – Updated to Address Issues Related to COVID-19.* (March 12, 2020).