Determining the Eligibility of an Adult Day Care Center for the Child Care Food Program (CCFP)

STATE AGENCY DIRECTORS
(Special Nutrition Programs)
- Colorado DH, Iowa, Kansas, Missouri DH,
  Montana DHES, Nebraska ED, North Dakota,
  South Dakota, Utah and Wyoming ED

Reference is made to our recent CCFP-112 and CCFP-113 memoranda which discussed the above subject and the new FNS Instruction 776-9. As stated previously, the new Instruction is being revised. Until it is published, this memorandum will serve as policy in this area.

CCFP regulations define an adult day care center as "...any public agency or nonprofit organization or any proprietary Title XX or Title XIX center...which...is licensed or approved by Federal, State or local authorities to provide nonresidential adult day care services to functionally impaired adults...or persons 60 years of age or older in a group setting outside their homes on a less than 24-hour basis...." The regulation further specifies that adult day care centers provide a community based group program designed to meet the needs of functionally impaired adults through an individual plan of care. This program must be a structured, comprehensive program that provides a variety of health, social, and related support services to enrolled adult participants. The eligibility determination based on this "definition" is a two-step process in which the determining official makes separate judgments regarding (1) licensing or approval and (2) the program provided by the center.

State Agencies must first determine if specific State or local licensing or approval exists for centers which provide day care services to functionally impaired adults. In some States, there will be licensing which specifically governs care for the needs of the functionally impaired. In other States, more generic licenses may govern care for older persons. Either would be acceptable. The license is required as an assurance that those in attendance at the center are receiving care approved by State or local officials in a safe and healthful environment. Once that determination has been made, the additional standards discussed below will ensure that only those meeting legislative and regulatory requirements participate.

With regard to determining what constitutes State or local approval, the Department suggests that State agencies be guided by their experience and existing practices in the CCFP for determining approval for child care centers. In the broadest sense, this involves a determination that a State
or local government agency has established requirements or guidelines which provide minimum standards for the establishment and operation of an adult day care center within its jurisdiction with which a center must comply in order to operate. Unlike child care centers, alternate approval methods are not available for adult day care centers.

Having determined that appropriate licensing or approval exists for a center, the State must then determine that the center is licensed or approved under that system. As with child care centers, State Agencies should utilize appropriate methods to ensure that center licenses remain current.

In addition to being licensed or approved, a center must also demonstrate compliance with the standards for adult day care centers set forth in CCFF regulations. The key standards are: (1) the center must serve functionally impaired adults as defined in the CCFF regulations; (2) the center must provide a structured comprehensive program of health, social and related support services; and (3) the center must develop and maintain an individual plan of care for every functionally impaired participant.

The following descriptions expand and clarify items in the regulation:

A structured comprehensive program is a program that provides a regular daily schedule of specific activities, both group and individual. They should include health, social and related support services and should vary to accommodate the needs of the participants and their individual plans of care.

An individual plan of care is designed to maintain the participant at his or her current level or restore the participant to a level of self care. The plan must be written and should, at a minimum, contain:

- An assessment of the individual's strengths and needs based on information obtained from the participant and/or his/her family members, caregivers, physician, etc. Such information should include a health profile, mental and emotional status, daily living skills, support services available to the individual, possible need for services from other service providers and a current medical examination.

- A written plan of service, based on the assessment discussed above, which specifies (1) the goals and objectives of the planned care, (2) the activities to achieve the goals and objectives, (3) recommendations for therapy, (4) referrals to and follow-up with other service providers as needed, and (5) provisions for periodic review and renewal.

When considering the application of an adult day care center, a State Agency must be guided by the foregoing requirements and clarifications. However, these criteria are not designed as all inclusive. State Agencies may encounter situations in which a precise application of these criteria
are difficult. For example, a State may determine that a center is essentially in compliance with the intent of the requirement (i.e., it has a structured, comprehensive program, individual plans of care, etc.) but that the program varies in some small way from that which is contained in this memorandum. In another situation, a State Agency may receive an application from an adult day care center which is part of a larger institution which provides other services or which operates under a license which governs care for functionally impaired individuals in addition to other types of care or services for the nonfunctionally impaired. This may occur when an adult day care center is one component of a senior citizens center established to serve the entire population of a given area. When these or similar situations arise, State Agencies should be advised to contact their Regional Office for consultation and/or concurrence.

If you have any questions on the above, please contact our office.

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