



Department of Health

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TO: CACFP Sponsoring Organizations of Homes and Multi-Center Sponsors

FROM: Danielle Quigley, MS, RD, CDN *Danielle Quigley, MS, RD, CDN*
Director, Bureau of Child and Adult Care Food Programs

DATE: May 24, 2023

SUBJECT: Expiration of Novel Coronavirus (COVID-19) Flexibilities

During the COVID-19 Public Health Emergency, the United States Department of Agriculture (USDA) allowed waivers of the Child and Adult Care Food Program (CACFP) regulations to manage the impacts of COVID-19. This memo explains the flexibilities that are expiring on June 30, 2023.

Monitoring Flexibility (For Day Care Home Sponsors or Multi-Center Sponsors)

Federal regulations mandate specific requirements for conducting facility reviews each year. The waiver allowed for fewer monitoring visits, more time between visits, and off-site visits. With the waiver, sponsors were not required to conduct unannounced visits or meal observations.

Beginning July 1, 2023, all CACFP monitoring requirements are in effect, including:

- Three (3) monitoring reviews are required annually for each center/provider.
- Two (2) visits must be unannounced and one (1) must include a meal observation.
- Monitoring visits cannot be more than six months apart.
- Off-site reviewing may not be done in place of an onsite review.

Area Eligibility Flexibility (For Family Day Care Home Providers)

Federal regulations establish specific area eligibility requirements and meal reimbursement rates. The waiver allowed day care homes participating in CACFP to claim all meals and snacks served to enrolled children at the Tier I rate, regardless of their location.

Beginning July 1, 2023, all CACFP area eligibility requirements are in effect, including:

- Tier I eligibility for a day care home provider must be determined using US Census data or area school data.
- Tier I eligibility based on US Census or area school data is valid for five years.

Day care home providers that were temporarily receiving the Tier I rate during the COVID-19 public health emergency will be changed back to Tier II. CACFP will update the day care home provider application to Tier II in CACFP's Information and Payment System (CIPS) with an effective date of July 1, 2023.

Sponsors are encouraged to re-assess provider area eligibility using US Census or area school data. Resources are found here:

- US Census data <https://bestpractices.nokidhungry.org/Averaged-Eligibility-Map>
- Area school data (outside New York City)
<https://www.health.ny.gov/prevention/nutrition/cacfp/docs/tier1eligible.pdf>

- Area school data (New York City)
<https://www.health.ny.gov/prevention/nutrition/cacfp/docs/tier1eligiblenyc.pdf>

Tier II Day Care Home Providers may distribute Letter to Households/Income Eligibility Form Tier II Day Care Home Participant (DOH-4160) to all families to assess individual participant eligibility. Enclosed is an Order Form for Sponsors of Day Care Homes (CACFP-3978).

Please contact CACFP at 1-800-942-3858, option 4 if you have any questions.

Enclosures:

[Order Form for Sponsors of Day Care Homes \(CACFP-3978\)](#)