

*****DRAFT - NOT FOR FILING*****

173-4-05 Meal service.

Comment [ODA1]: FOR RESCISSION.
Please see the proposed new version of the rule.

- (A) "Meal service" means a service through which a congregate nutrition program, a home-delivered nutrition program, or a restaurant and grocery meal service provides safe and nutritious meals to consumers to help sustain health.
- (B) In addition to complying with the mandatory clauses for provider agreements described in rule 173-3-06 of the Administrative Code, a meal service provider shall comply with the following requirements:
- (1) Nutritional adequacy:
 - (a) The provider shall only provide a meal that complies with the most recent "Dietary Guidelines for Americans" which are published by the secretaries of the United States department of health and human services and the United States department of agriculture and found on <http://www.health.gov/dietaryguidelines> and in the appendix to this rule.
 - (b) The provider shall provide a meal that meets a minimum of one-third of the dietary reference intakes (DRIs). DRIs are a comprehensive set of nutrient reference values based on healthy persons for assessing and planning individual and group diets. The food and nutrition board, institute of medicine, and the national academy of sciences establishes DRIs and lists them on <http://fnic.nal.usda.gov/>.
 - (c) The provider shall use rule 173-4-05.1 of the Administrative Code to determine the nutritional adequacy of the meals for which it seeks reimbursement from the AAA.
 - (2) Ingredient information: The provider shall offer information on the ingredient content of meals that it serves. The provider shall obtain the AAA's approval of their method for offering the ingredient information before the provider implements the method.
 - (3) Menu planning:
 - (a) The provider shall assure that all menus meet the meal requirements of this rule.
 - (b) To promote self-directed care, the provider shall assure that consumers have opportunities for feedback on menus that have been served and input on upcoming menus.
 - (c) The provider shall only offer a menu that is approved by a LD.
 - (d) The provider shall only offer menu substitutions that are approved by a LD.
 - (e) The provider shall list the serving size for each food item on each production menu.
 - (4) Consumer choice: Consistent with self-directed care practices, the provider shall offer a consumer the opportunity to make choices about the meals served by using one or more of the following methods:
 - (a) Allow consumers to choose between two or more food items within at least two of the following categories:
 - (i) Meat and meat alternates;
 - (ii) Vegetables;

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- (iii) Fruits;
 - (iv) Bread or bread alternates;
 - (v) Milk or milk alternates;
 - (vi) Desserts (if offered); or,
 - (vii) Meat or meat-alternate entrees combined with servings of other foods.
- (b) Allow consumers to select an alternative meal type (e.g., boxed lunch, frozen meal, or vacuum-packed meal) that has the same nutrient content of a regular meal or follows the meal pattern for a regular meal;
- (c) Offer consumers of home-delivered meals options regarding the frequency of meal deliveries;
- (d) Offer consumers of congregate meals options regarding:
- (i) Brunch meals;
 - (ii) Weekend meals;
 - (iii) Dining at restaurants;
 - (iv) Days of service for rural areas; or,
 - (v) Two meals per day at the congregate meal site.
- (5) Therapeutic and modified meals: A provider shall only provide therapeutic or modified meals if those meals meet the additional requirements under rule 173-4-05.2 of the Administrative Code.
- (6) Alternative meals: A provider shall only provide alternative meals if those meals meet the additional requirements under rule 173-4-05.3 of the Administrative Code.
- (7) Medical food and food for special dietary use: A provider shall only offer medical food or food for special dietary use if the food meets the additional requirements under rule 173-4-05.4 of the Administrative Code.
- (8) Dietary supplements: The AAA shall not allow a provider to serve multi-vitamin or mineral supplements nor reimburse a provider for them unless they qualify as medical food or food for special dietary use under rule 173-4-05.4 of the Administrative Code.
- (C) Units of service:
- (1) Congregate nutrition program: A unit of service is one meal prepared and served in compliance with this rule and rule 173-4-04 of the Administrative Code.
 - (2) Home-delivered nutrition program: A unit of service is one meal prepared and delivered in compliance with this rule and rule 173-4-04.1 of the Administrative Code.
 - (3) Restaurant and grocery meal service: A unit of service is one meal acquired in compliance with this rule and rule 173-4-04.2 of the Administrative Code.

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