



State and Federal Elderly Nutrition Programs

Since 1973 two nutrition programs for the elderly have existed in Wisconsin: the state Elderly Nutrition Improvement Program established under Sec. 115.345 of Wisconsin Statutes, administered by the State Department of Public Instruction (DPI) and the federal Nutrition Program authorized under Title III-C of the Older Americans Act, Public Law 95-478, administered by the State Department of Health and Family Services (DHFS) through awards to county and tribal governments. Both programs are open to all persons age 60 and older and to their spouse of any age. The state and federal elderly nutrition programs may operate separately and independently.

The nutrition programs were designed for those elderly persons who do not eat adequately because:

- They cannot afford to do so.
- They lack the knowledge and/or skill to select and prepare nourishing and well-balanced meals.
- They have limited mobility or have experienced functional impairments which may limit their capacity to shop and cook for themselves.
- They have feelings of rejection and loneliness which affect their incentive to prepare and eat a meal alone.
- They experience other psychological, physiological, social and economic changes that occur with aging, resulting in a pattern of living which causes malnutrition and further physical and mental impairment.

We provide a brief description of both state and federal programs below and describe ways in which School Food Authorities (SFAs) can run either one program or the two programs together.

The State of Wisconsin Elderly Nutrition program (EN) as described in Section 115.345 of Wisconsin State Statutes.

Section 115.345 authorizes the establishment of an Elderly Nutrition Improvement Program in the public schools, private schools, and RCCI's and places the state level administrative responsibility for the program in the Department of Public Instruction. The law grants rule-making authority and provides the participating SFAs sum sufficient funding for reasonable expenses incurred, excluding capital equipment costs, but not to exceed 15% of the cost of the meal or 50 cents per meal, whichever is less. No funds are provided for state or local agency administration. SFA participation in the state Elderly Nutrition Improvement Program is voluntary. However, if

the Board of Education does not elect to establish an elderly nutrition program, a petition by five percent (5%) of the number of voters in the district's last election can require the School Board to formulate a food service program if facilities are available.

The SFA may charge participants for any costs of the meal in excess of the reimbursement amount. Meals served must meet minimal nutritional standards consistent with the federal requirements for the high school level student as established under the National School Lunch Program.

Federal Elderly Nutrition Program: Title III-C of the Older Americans Act of 1965, as amended through 1988

Title III-C of the reauthorized Older Americans Act, Public Law 95-478, established a federal program designed to provide meals and supportive services to persons 60 years of age and older and their spouse of any age. In Wisconsin, the Bureau of Aging and Disability Resources in the Department of Health Services is the state agency responsible for the administration of the Federal Elderly Nutrition Program. The Bureau awards the available funds to the county and tribal aging offices for the purpose of providing meals to eligible elderly recipients. Federal funds appropriated for the Federal Elderly Nutrition Program under Title III-C, can be used only for the provision of meals in addition to specified supportive services.

A requirement of the Title III-C program is that the recipient of the meal must have access to supportive services provided at the meal site, however it may be necessary to utilize a nearby facility for this purpose. Under federal regulation, no economic means test may be associated with the program. While federal funds can be used to pay the full cost of the meals provided under Title III-C, participants must be given the opportunity to contribute towards the cost of the meal. A contribution cannot be made a requirement for participation. The cash contributions are legally considered to be part of the financial resources of the Title III-C nutrition program and must be used to expand or maintain the number of meals served.

Three different participation models for SFAs to consider:

Option #1: SFA chooses to participate in the state EN through application PI-1451, application approval, and indication by site through the online contract with DPI.

The SFA provides meals to elderly participants at one or more of its schools and receives the state meal reimbursement payment of 15% of the cost of the meal or 50 cents per meal, whichever is less. Schools must submit an annual claim to receive the funding.

The state statute stipulates that EN may be offered in the elementary building but must be offered in all Junior and Senior High Schools in the SFA. Exceptions may be granted by the State Superintendent when the SFA provides justification in an EN program Application-Agreement and Plan of Operation (form PI-1451).

To avoid passing the cost of elderly meals to children, the full cost of the meal including the value of USDA Foods should be recovered from the EN program and the meal price charged to the

elderly participants. Per meal cost data can be obtained from the agency's year-end Child Nutrition Program Report. Any anticipated cost increases for the ensuing year should be considered. Another cost consideration is the entitlement value of USDA Foods. USDA Foods are allocated to SFAs only for the National School Lunch Program so the per meal USDA Foods value must be added to the lunch cost. If payments are not sufficient to cover the elderly meal cost, the losses should not be met by raising the price of meals served to children.

SFAs may choose to operate the EN program during the summer months if periods of operation are indicated in the online contract. It should be noted that to operate the EN program during the summer months or other school vacation periods may be more costly. This should be taken into consideration when setting the meal price for elderly participants.

SFAs are required to use the method of accounting which records all revenues and expenditures of preparing the meals, both student and elderly, in Fund 50. Any costs for the EN program, not covered by Fund 50 meal charges or aid payments, are to be funded with an operating transfer from the community service fund, Fund 80. The EN program reimbursement payment has been assigned Revenue Source Code 617, Program/Project Code 543. In addition, the annual revenue and expenditures must be reported in the EN program row on the annual financial report. Private schools need to record revenue and expenditures in separate ledger columns or accounts within their food service recordkeeping system for the meals served to EN participants.

Option #2: SFA is approved to participate in the state EN program and enters into a joint agreement with a County or Tribal Agency on Aging that provides services to the elderly under the federal Title III-C Elderly Nutrition Program (ENP) without submitting a competitive bid for the meal service.

The SFA participates in the EN program as above and receives state reimbursement and also receives the negotiated per meal payment through the federal Title III-C ENP. Under this option, the SFA remains the primary sponsor of the food service operation and is held accountable for the terms of the online contract. The SFA negotiates a meal price with County or Tribal Agency Title III-C representative.

Negotiations between the SFA and the County or Tribal Agency Title III-C representative should result in a clear understanding of how the meal service will be conducted. A decision must be made whether the meals will be served at selected school sites, at off-school premise sites, or both. In addition, the joint agreement should state the negotiated meal prices, additional charges, meal types, meal pattern, and billing procedures.

Open communications between the SFA Food Service Director and the County Title III-C Program Director will help to resolve any problems with supervision, delivery, serving times, and menu changes. SFAs must be receptive to requests and constructive changes recommended by the elderly recipients.

As previously noted under option 1, to operate the EN program and ENP during the summer months or other school vacation periods may be more costly. This needs to be taken into consideration when negotiating with the County or Tribal Agency on Aging for meal service outside of the regular school session.

Option #3: SFA competitively bids to provide meals under the federal Title III-C ENP and operates under a contract with the County or Tribal Agency on Aging

It is an SFA's prerogative to provide meals under a competitively bid vendor arrangement directly with the County or Tribal Agency on Aging instead of going through the state EN program as an alternative to meeting the nutritional needs of the elderly in their community. Under this arrangement, the County or Tribal Agency on Aging is the primary sponsor. Therefore, the SFA is not eligible to participate in the state EN program nor to receive the state reimbursement payments. To permit an SFA to enter into a competitively bid vendor contract while receiving state EN reimbursements would put commercial food service vendors at a disadvantage knowing they can be underbid by up to \$.50 per lunch.

In this option the SFA does not submit a completed EN program Application-Agreement and Plan of Operation (form PI-1451) to the Department of Public Instruction's School Nutrition Program Team for approval. The SFA is required to use Fund 80, or for a private school an account separate from the non-profit school food service account, to record revenue and expenditures.

The SFA needs to negotiate a price with the county or tribal agency to recover the full meal cost, including the value of USDA Foods used. Frequently, the bid for tribal or county ENP includes specific menus that vary from what is typically served at school. Therefore, any additional food and labor costs must be considered when establishing the meal price.