

Rules of Department of Health and Senior Services

Division 45—Division of Nutritional Health and Services Chapter 5—Food and Nutrition Programs

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**Title 19—DEPARTMENT OF
HEALTH AND SENIOR SERVICES
Division 45—Division of Nutritional
Health and Services
Chapter 5—Food and Nutrition Programs**

**19 CSR 45-5.010 Special Supplemental
Food Program for Women, Infants and
Children (WIC)**

PURPOSE: This rule establishes the requirements for agencies participating in the Special Supplemental Food Program for Women, Infants and Children.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. Therefore, the material which is so incorporated is on file with the agency who filed this rule, and with the Office of the Secretary of State. Any interested person may view this material at either agency's headquarters or the same will be made available at the Office of the Secretary of State at a cost not to exceed actual cost of copy reproduction. The entire text of the rule is printed here. This note refers only to the incorporated by reference material.

(1) Each Women, Infants and Children (WIC) program shall provide supplemental food, nutrition education and health care referral to eligible pregnant, breastfeeding and postpartum women, eligible infants and children up to five (5) years of age. Eligibility shall be based on inadequacy of income using the guidelines in 19 CSR 40-1.040(2) and assessed nutritional risk.

(2) Each WIC program shall follow the requirements of 7 CFR 246.1-246.28 in administering the program.

AUTHORITY: section 192.005.2, RSMo 1986. This rule was previously filed as 19 CSR 40-5.010. Original rule filed Jan. 14, 1993, effective July 8, 1993. Moved to 19 CSR 45-5.010, effective May 1, 2003.*

**Original authority: 192.005.2, RSMo 1985.*

**19 CSR 45-5.020 State Funding for
Extended Hours of the Special Supplemental
Food Program for Women, Infants and
Children (WIC) Clinics**

PURPOSE: This rule establishes the procedures to be used by the Department of Health

to award grants to local health units for extending clinic hours.

(1) The following definitions shall be used in the interpretation and enforcement of this rule:

(A) County health unit means any entity approved by Department of Health to provide Women, Infants and Children (WIC) services in a given service area;

(B) County poverty level means the economic level of a county as determined by use of the most recent United States census and the poverty income guidelines of 19 CSR 40-1.040(2).

(C) Participation means the sum of the number of pregnant and postpartum women, infants and children up to five (5) years of age who have received WIC supplemental food vouchers and the number of exclusively breastfed infants in the program during the reporting period.

(2) The following procedures shall be used by the Department of Health when determining which county health units will receive grants authorized by section 191.807, RSMo:

(A) All grants shall be awarded October 1 each year;

(B) County health units desiring to apply for a grant shall request an application from the Department of Health's WIC bureau;

(C) Completed applications shall be post-marked by August 15 each year;

(D) Grants shall be evaluated by a committee of three (3) persons appointed by the director of the Department of Health's Division of Maternal, Child and Family Health;

(E) There shall be a maximum of ten thousand dollars (\$10,000) for each grant; and

(F) Applicants shall be chosen based on the county poverty level and the percent of eligible women and children not served in the county.

AUTHORITY: section 191.807, RSMo Supp. 1992. This rule was previously filed as 19 CSR 40-5.020. Original rule filed Jan. 14, 1993, effective July 8, 1993. Moved to 19 CSR 45-5.020, effective May 1, 2003.*

**Original authority: 191.807, RSMo 1992.*

**19 CSR 45-5.050 Child and Adult Care
Food Program (CACFP)**

PURPOSE: This rule establishes the requirements for agencies participating in the Child and Adult Care Food Program. Through this program nutritious food service is provided to children and adult participants in nonresidential institutions that provide care.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. Therefore, the material which is so incorporated is on file with the agency who filed this rule, and with the Office of the Secretary of State. Any interested person may view this material at either agency's headquarters or the same will be made available at the Office of the Secretary of State at a cost not to exceed actual cost of copy reproduction. The entire text of the rule is printed here. This note refers only to the incorporated by reference material.

(1) Sponsoring organizations of day care homes can request all, part, or no administrative advance payment when they submit an annual application for participation in the Child and Adult Care Food Program (CACFP).

(2) Section 708(f) of Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) states that it is beyond the authority of the United States Department of Agriculture (USDA) to require state agencies to continue to make advances to CACFP institutions, including administrative advances to sponsoring organizations of day care homes. Instead, state agencies are now given the option to issue advances. This rule outlines criteria that will be used by the Missouri Department of Health (MDOH) to issue administrative advances for sponsoring organizations of day care homes.

(3) The MDOH will review and approve advance payments for those sponsoring organizations that can demonstrate good program performance which includes, but is not limited to, financial accountability and meal quality with emphasis on proper fund management.

(A) If approved, the advance payment will be issued as specified in 7 CFR 226.6(b)(10), which is hereby incorporated by reference and made a part of this rule.

(B) If the request for advance payment is denied, the sponsoring organization will be provided with a written explanation and will be given an opportunity to appeal as specified in 7 CFR 226.6(k), which is hereby incorporated by reference and made a part of this rule.

(4) Sponsoring organization means a public or nonprofit private organization which is



approved by MDOH for administering the CACFP in one (1) or more day care homes.

(5) Each Child and Adult Care Food Program shall follow all other requirements which can be found in 7 CFR 226.1–226.27, which is hereby incorporated by reference and made a part of this rule.

AUTHORITY: sections 192.006, RSMo Supp. 1999 and 192.025, RSMo 1994. This rule was previously filed as 19 CSR 40-5.050. Original rule filed Jan. 14, 1993, effective July 8, 1993. Rescinded and readopted: Filed April 16, 1999, effective Oct. 30, 1999. Amended: Filed: April 14, 2000, effective Oct. 30, 2000. Moved to 19 CSR 45-5.050, effective May 1, 2003.*

**Original authority: 192.006, RSMo 1993, amended 1995; and 192.025, RSMo 1951.*

(3) School food authorities in needy areas, as defined in section 191.810, RSMo, who do not wish to sponsor the SFSP and are in areas where no other service institution is offering the SFSP, shall apply for a waiver as required in 5 CSR 30-680.070.

AUTHORITY: section 191.810, RSMo Supp. 1992. This rule was previously filed as 19 CSR 40-5.060. Original rule filed Jan. 14, 1993, effective July 8, 1993, Moved to 19 CSR 45-5.060, effective May 1, 2003.*

**Original authority: 191.810, RSMo 1992.*

19 CSR 45-5.060 Summer Food Service Program (SFSP) for Children

PURPOSE: This rule establishes the requirements for agencies participating in the Summer Food Service Program. Through this program nutritious food service is provided to children from needy areas during periods when area schools are closed for the summer months and at other approved times.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. Therefore, the material which is so incorporated is on file with the agency who filed this rule, and with the Office of the Secretary of State. Any interested person may view this material at either agency's headquarters or the same will be made available at the Office of the Secretary of State at a cost not to exceed actual cost of copy reproduction. The entire text of the rule is printed here. This note refers only to the incorporated by reference material.

(1) Each Summer Food Service Program (SFSP) shall follow the requirements of 7 CFR 225.1–225.20 for administering the program.

(2) Service institutions, as defined in section 191.810, RSMo, that want to participate in the SFSP shall apply to the Department of Health. Applications received will be processed in accordance with the standards in 7 CFR 225.6.