

## **CACFP Family Day Care Home Request to Complete Monitoring as Desk Audits**

### **Waiver Request**

Colorado Department of Public Health and Environment -  
Child and Adult Care Food Program

#### **State agency staff contact information:**

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**Region:** USDA Mountain Plains Region

#### **Eligible service providers participating in waiver and affirmation that they are in good standing:**

Any Colorado Department of Public Health and Environment CACFP Family Day Care Home Sponsor in good standing to have the ability to complete monitoring as desk audits during a COVID-19 outbreak.

Institutions that would operate under this waiver are operating in communities where schools and/or childcare centers are closed in connection with a COVID-19 outbreak. This waiver request is based on USDA Policy Memo CACFP 12-2014, SP 46-2014, SFSP 18-2014 where it states on page five, "Other exceptional emergency situations or man-made disasters, such as human pandemic or chemical plant explosions, may impact the ability of schools, institutions, and sponsors to continue normal program operations. In this circumstance, FNS may approve flexibilities to accommodate the needs of severely impacted areas."

**Description of the challenge the State agency is seeking to solve, the goal of the waiver to improve services under the Program, and the expected outcomes if the waiver is granted. [Section 12(1)(2)(A)(iii) and 12(1)(2)(A)(iv) of the NSLA]:**

#### **Challenge:**

Completing the monitoring visits onsite poses a risk to increased exposure for populations most at risk of developing and spreading of COVID-19. The Colorado Department of Public Health and Environment

continue to monitor the situation.

"Social-distancing" is integral to the control of the COVID-19. CACFP regulations require consumption of meals at meal sites, thus increasing the potential of exposure among program participants.

**Goal:**

Provide monitoring as desk audits to participating family day care homes in a manner that minimizes potential exposure to COVID-19.

**Expected Outcomes:**

Family Day Care Homes in good standing to complete required monitoring visits as desk audits, while limiting interaction and proximity to other participants therefore decreasing the risk of COVID-19 exposure.

**Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(1)(2)(A)(i) of the NSLA]:**

The Colorado Department of Public Health and Environment requests a waiver of regulation 7 CFR 226.16(d)(4)(iii)(A) that require onsite monitoring of home providers. An additional request on behalf of Colorado Family Day Care Home Sponsors is to require only two visits during this monitoring year, and that unannounced visits, the 4-week review of a new facility and the six months between visits regulation are waived during this pandemic. Colorado CACFP would support this if USDA approves.

**Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:**

If approved, the Colorado Department of Public Health and Environment will provide technical assistance to Family Day Care Home Sponsors on process and procedures for planning and preparing a desk audit in place of an onsite monitoring visit, providing only two visits during monitoring year, as well as not requiring unannounced visits, 4 week visits, and delaying visits where more than six months lapse between visits during the pandemic. There are no impacts on technology or State systems.

**Description of any steps the State has taken to address regulatory barriers at the State level. [Section 12(1)(2)(A)(ii) of the NSLA]:**

There are currently no State level regulatory barriers related to this specific issue.

**Anticipated challenges State or eligible service providers may face with the**

**waiver implementation:**

Our agency does not anticipate that the establishment of this statewide waiver will pose any challenges at the state or sponsor level as many family day care home providers have sent in recent claim information or can send in any requested documentation to the family day care home sponsor. Alternatively, we anticipate this waiver will reduce challenges faced by Family Day Care Home Sponsors in terms of entering homes where COVID-19 could be present due to participants or providers having COVID-19 with or without symptoms. Children can still benefit from meal service and family day care home sponsors would be able to do some level of monitoring in health conscious manners.

**Description of how the waiver will not increase the overall cost of the Program to the Federal Government. If there are anticipated increases, confirm that the costs will be paid from non-Federal funds. [Section 12(l)(l)(A)(iii) of the NSLA]:**

The establishment of this statewide waiver will not increase the overall cost of the Program to the Federal Government since these programs would be operating in situations where they normally would operate USDA Child and Adult Care Food Program At-Risk program. There are no additional staff costs to implement this waiver.

**Anticipated waiver implementation date and time period:**

The anticipated waiver implementation start date is March 15, 2020 and is to remain in effect through June 30, 2021.

**Proposed monitoring and review procedures:**

State agency staff who will approve individual institution written requests to implement the waiver will monitor implementation of this waiver.

**Proposed reporting requirements (include type of data and due date(s) to FNS):**

No later than July 15, 2021, Colorado CACFP will report to FNS the number of sponsors that used this waiver including the number of unanticipated operating days and meals claimed.

**Link to or a copy of the public notice informing the public about the proposed waiver [Section 12(1)(1)(A)(ii) of the NSLA]:**

<https://www.colorado.gov/pacific/cdphe/cacfp>

**Notice to be released:**

The Colorado Department of Public Health and Environment is seeking four waivers from the United States Department of Agriculture, Food and Nutrition Services. The purpose of these waivers is to support institutions and communities in providing meals to children in areas experiencing school closures in response to COVID-19. The first waiver would allow for an alternative or grab and go meal service that would limit participants' interaction and proximity to other participants and therefore decrease the risk of COVID-19 exposure. The second waiver would allow At-Risk programs to not have the requirement of an enrichment activity. The third waiver would allow sponsors to provide reimbursable meals pending availability of meal pattern components. The fourth waiver would allow Family Day Care Home Sponsors to complete monitoring in the form of desk audits.

**Signature and title of requesting official:**



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**TO BE COMPLETED BY FNS REGIONAL OFFICE:**

*FNS Regional Offices are requested to ensure the questions have been adequately addressed by the State agency and formulate an opinion and justification for a response to the waiver request based on their knowledge, experience and work with the State.*

**Date request was received at Regional Office:**

- Date Received: .....
- Check this box to confirm that the State agency has provided public notice in accordance with Section 12(l)(l)(A)(ii) of the NSLA
- Regional Office Analysis and Recommendations:
  - Recommend Approval
  - Recommend Denied