



Food and  
Nutrition  
Service

January 15, 2021

Braddock  
Metro  
Center

Mary Anne Burghardt  
North Carolina Department of Health and Human Services  
1914 Mail Service Center  
Raleigh, North Carolina 29699-1914

1320  
Braddock  
Place  
Alexandria  
VA 22314

Dear Ms. Burghardt:

This letter is in response to the North Carolina Department of Health and Human Service's (NCDHHS) waiver request to extend the requirement to update annual child enrollment requirements and free and reduced price meal eligibility for Child and Adult Care Food Program (CACFP) centers and day care homes. Specifically, NCDHHS requested a statewide waiver of CACFP regulations under 7 CFR 226.15(e)(2) and 7 CFR 226.15(e)(3), which require child care centers and family day care homes to update the documentation of each child's enrollment and eligibility for free and reduced price meals on an annual basis. Instead, NCDHHS requests to allow centers and day care homes a 90-day extension to annual deadlines. The USDA Food and Nutrition Service (FNS) approves this request through April 15, 2021.

In its request, NCDHHS asserts that given the impact COVID-19 has had on child and adult care centers across the State, many program operators are experiencing high workload due to increased cleaning and sanitizing requirements at their centers. NCDHHS states that eligibility and paperwork requirements have become an administrative burden since staffing has been greatly reduced. NCDHHS anticipates that this waiver will prevent loss of meal reimbursements due to expired paperwork and maintain children's access to meal service during the COVID-19 emergency.

Pursuant to the waiver authority granted at section 12(l) of the National School Lunch Act (NSLA) and based on the exceptional circumstances relating to the declaration of a public health emergency due to the novel coronavirus (COVID-19) by the U.S. Department of Health and Human Services, effective January 27, 2020, FNS approves NCDHHS's request to waive requirements at 7 CFR 226.15(e)(2) and 7 CFR 226.15(e)(3) through April 15, 2021. In addition, this approval waives the requirement at 226.23(f) that eligibility information shall be no more than 12 months old. Although NCDHHS requested the waiver until September 30, 2021, FNS limited the duration of the waiver to assess its impact and the State's ability to report the required data elements outlined below. FNS recognizes that there may be a continued need for this waiver, and will carefully assess the situation on an ongoing basis. Therefore, NCDHHS may request an extension to this waiver if the situation warrants it.

Effective as of January 15, 2021, this waiver allows NCDHHS to grant centers and day care home providers, in good standing, an extension for collecting annual enrollment and income eligibility documentation. Under the waiver, centers and day care homes may continue to use their existing enrollment information and free and reduced price meal

applications through April 15, 2021. Centers and sponsoring organizations are still required to comply with requirements at 7 CFR 226.23(e)(4), to determine eligibility using the income information provided by the household on the application, even if in this case the income information is more than 12 months old.

The waiver authority at section 12(l) of the NSLA requires FNS to review the performance of any State or eligible service provider that was granted a waiver. Therefore, by December 31, 2021, NCDHHS must provide to the FNS Southeast Regional Office a written report quantifying the impact of the waiver, as described below.

The report must include the following:

- A description of how the waiver impacted meal service operations, children's access to nutritious meals, and participation in CACFP;
- A description of how the waiver reduced the quantity of paperwork necessary to administer the program;
- The total number of centers and day care homes that used the waiver;
- The total number of meals that were served at centers and day care homes that utilized the waiver of annual collection of enrollment and eligibility information; and
- A summary of benefits and challenges associated with the waiver of annual collection of enrollment and eligibility information.

FNS appreciates NCDHHS's commitment to work with sponsors to find efficiencies that balance the needs of local communities with cost-effective program management and integrity. If you have questions, please contact the Southeast Regional Office.

Sincerely,

A handwritten signature in black ink, appearing to read "Ang M Kline". The signature is fluid and cursive.

Angela M. Kline  
Director  
Policy and Program Development Division

cc: Lilly Bouie, SERO  
Courtney Jones, NCDHHS