

## STATE PROGRAM WAIVER REQUEST

### WAIVER FOR SUMMER FOOD SERVICE PROGRAM

NON-CONGREGATE MEAL SERVICE AT CERTAIN OUTDOOR SUMMER MEAL SITES EXPERIENCING EXCESSIVE HEAT

#### **1. State agency submitting waiver request and responsible State agency staff contact information:**

Missouri Department of Health and Senior Services, Bureau of Community Food and Nutrition Assistance (CFNA), Summer Food Service Program (SFSP). Tanya Harvey, SFSP Program Manager. P.O. Box 570, Jefferson City, MO 65102. Phone Number (573)751-0572.

#### **2. Region:**

Mountain Plains Regional Office

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

This Waiver would apply to summer meal sponsors operating outdoor meal service at sites without a temperature-controlled alternative and that are in good standing with SFSP.

This waiver will require documentation from the National Weather Service that an Excessive Heat Advisory, an Excessive Heat Warning, or an Excessive Heat Watch has been issued on the days and for the area in which an approved outdoor meal site is located.

Sponsors that have outdoor sites without temperature controlled alternative sites must request this flexibility from the SA for their sites prior to implementation.

#### **4. 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(I)(2)(A)(iii) and 12(I)(2)(A)(iv) of the NSLA]:**

The State agency is seeking to request a statewide waiver for the SFSP flexibility regarding allowing non-congregate meal service to sponsors on days when the area the site is located in experiences excessive heat or other exceptional circumstances. The intent of this waiver is to maintain service to children who would otherwise lose access to meals when excessive heat makes the operation of a congregate feeding site lacking a temperature controlled alternative site impractical.

The challenges that the State Agency and SFSP sponsor organizations may face if the waiver is **NOT** approved include:

- Loss of reimbursement revenues for meals and snacks as the requirement to eat outdoors on excessive heat days may force SFSP sponsors to not operate meals/snacks on those days.

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

The specific requirements to be waived are the regulatory requirements at 7 CFR 225.6 (i)(15), "Maintain children on site while meals are consumed."

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

Interested sponsors must notify CFNA of their intent to participate in the waiver. Sponsors must identify those outdoor congregate meal sites lacking temperature controlled alternative sites that would be included in the waiver prior to initiating the waiver.

In order to participate:

- Sponsors must document the NWS Excessive Heat Advisory, Excessive Heat Warning, or Excessive Heat Watch and maintain the records on file for review.
- Meals taken off site may only be claimed on days for which documentation is maintained.
- Sponsors must print or obtain an electronic copy of the NWS notice on the public web found at <http://www.weather.gov/> on the day the Excessive Heat Advisory, Excessive Heat Warning, or Excessive Heat Watch is issued, and email a copy [tosfsp@health.mo.gov](mailto:tosfsp@health.mo.gov) the day the demonstration project is exercised.
- Approved outdoor sites must comply with the congregate meal requirements on all other days of operation.

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

CFNA has encouraged all sites to have a plan regarding extreme weather conditions in order to address this issue.

**8. Anticipated challenges State or eligible service providers may face with the waiver implementation:**

CFNA does not expect any challenges with the waiver implementation as many of the eligible sponsors have utilized the previously approved Heat Demonstration in years past.

**9. 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(I)(1)(A)(iii) of the NSLA]:**

The waiver will not increase the overall costs of the Program to the Federal Government. The proposed excessive heat non-congregate meal waiver will allow meals to children who are accustomed to receiving the meals in person at those particular sites.

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

Anticipated waiver implementation date is May 15, 2024. CFNA requests that the waiver be valid through September 30, 2024.

**11. Proposed monitoring and review procedures:**

CFNA will monitor sponsors to ensure effective management of the SFSP. Sponsors will be monitored every three years at a minimum. In addition, the majority of large sponsors are monitored yearly to ensure compliance regarding the operation of such large sponsorships. Sponsors found to have noncompliance issues as related to the waiver will work with the State agency on an individualized corrective action plan and will have follow-up reviews scheduled as needed.

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

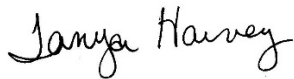
CFNA will provide a report to the USDA state agency contact by December 30, 2024. This report will provide data and an analysis of the waiver impact to include the number of sponsors and sites who utilized the waiver, the

number of meals served at the sites, if the waiver led to an increase or decrease in paperwork, and an overview of findings associated with the implementation of this waiver.

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

<https://health.mo.gov/living/wellness/nutrition/foodprograms/sfsp/index.php>

**14. Signature and title of requesting official:**



12/18/2023

Title: SFSP Program Manager

Address: 930 Wildwood Drive, Jefferson City, MO

Requesting official's email address for transmission of response: Tanya.Harvey@health.mo.gov

**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:**

**Check this box to confirm that the State agency has provided public notice in accordance with Section 12(I)(1)(A)(ii) of the NSLA**

**Regional Office Analysis and Recommendations:**