

## TO BE RESCINDED

173-39-02.14

**Home-delivered meal service.**

- (A) Home-delivered meal is a service designed to provide consumers with one to two safe and nutritious meals per day that meet the current dietary guidelines for Americans and the recommended dietary allowances (RDA) and dietary reference intakes (DRI).
- (B) A unit of service is one meal prepared and delivered to a consumer's residence.
- (C) Eligible providers of home-delivered meal service are ODA-certified long-term care agency providers.
- (D) Providers must document and maintain a record of each service-related consumer contact and each service delivered, including the date and time of the contact, a description of the type of contact, and the name(s) of person(s) having contact with the consumer.
- (E) Nutritional adequacy:

The provider must ensure that:

- (1) Each meal complies with one-third of the current dietary guidelines for Americans as published by the United States department of health and human services and the United States department of agriculture, and meets the current recommended dietary allowance (RDA)/dietary reference intakes (DRI) established by the food and nutrition board of the institute of medicine of the national academy of sciences, unless the meal was prepared in accordance with a diet prescription ordered by a physician or licensed dietitian.
- (2) All meals provided follow meal pattern or are verified with nutrition computer analysis to meet dietary guidelines for Americans and RDA/DRI.
- (3) All menus have been approved by a licensed dietitian. The provider must have access to a licensed dietitian for consultation.
- (4) Each meal will consist of: two ounces of edible cooked meat, fish, fowl, eggs or meat alternate; three servings of vegetables and/or fruits; two servings of starches/grains; one cup low-fat milk or equivalent; fat serving; and optional items to complement the meal such as a dessert, condiments, etc. The provider must also ensure that serving sizes are based on dietary guidelines for Americans and my food pyramid.

- (5) Meals are prepared in compliance with all applicable federal, state, county, and local laws and regulations governing the preparation, handling, and transportation of food.

(F) Food safety

- (1) The provider must maintain documentation that demonstrates that all meals are prepared by the provider or a subcontractor that is in compliance with Chapter 3117. of the Revised Code and Chapter 3717-1 of the Administrative Code (the Ohio uniform food safety code).
- (2) The provider must maintain appropriate licenses and demonstrate compliance with local health department inspections and Ohio department of agriculture meat and poultry inspections.
- (3) The provider must report all local health department and Ohio department of agriculture inspection citations to ODA's designee within five working days of the provider's receipt thereof, together with a corrective action and follow-up plans.
- (4) Food preparers must develop and implement a time/temperature monitoring system for food preparation, food handling, and food delivery.

(G) Meal

- (1) The provider must adopt a consumer choice plan that offers the consumer an opportunity to make a choice about the food served by using one or more of the following methods:
  - (a) Offer consumer choices from two or more of the following groups of food: milk; bread; fruit; vegetable; meat; and dessert.
  - (b) Offer consumers the opportunity to provide suggestions for menu planning at least annually.
  - (c) Implement an alternative choice plan approved by ODA's designee.
- (2) The provider must develop a system that offers consumer access to ingredient content of meals. This system must receive prior approval from ODA's designee.

- (3) All meals must be labeled with a production date.
- (4) The provider may be authorized by the case manager to furnish a therapeutic diet for a consumer. A therapeutic diet must be authorized by a physician or licensed dietitian as part of a treatment of a disease or a clinical condition to eliminate, decrease, or increase certain substances in the diet. It is a food regimen requiring a daily minimum or maximum amount of one or more specific nutrients or a specific distribution of one or more nutrients.
  - (a) A consumer may be authorized to receive a therapeutic diet for up to thirty days prior to authorization by a physician or a licensed dietitian.
  - (b) Physician or dietitian authorization must be documented every ninety days.

(H) Meal delivery

- (1) The provider must document:
  - (a) That the provider's meal delivery systems ensure quality and safe meals:
    - (i) Custom-built, temperature-controlled food delivery vehicles must maintain verification of testing meal temperatures at least monthly;
    - (ii) All other delivery systems must test meal temperatures at least weekly;
    - (iii) Newly established food delivery routes must have meal temperatures taken daily for one week or longer as needed to ensure constant safe temperature and quality meals, followed by routine checks.
  - (b) The number of meals delivered at each consumer residence.
  - (c) Route completion by obtaining a staff person's signature on each daily route log; and,
  - (d) A consumer's receipt of meals by obtaining the signature of the consumer or the consumer's caregiver.

- (2) The provider must assure delivery of meals as authorized by ODA's designee. The provider must notify the consumer if delivery of the meal will be delayed more than one hour past established delivery time. The provider must furnish written instructions to driver as related to the meal delivery.
- (3) The provider must provide evidence of documentation that the home-delivered meal transport staff possess a current and valid driver's license and appropriate personal insurance, if not covered by provider's insurance.

(I) Training

- (1) The provider must assure a training plan, continuous education events and documentation of trainings each year. Each staff must have a minimum of four hours of continuous education each year in an area described in paragraph (I)(2) of this rule or on another relevant subject.
  - (2) All personnel (including volunteers) who participate in food preparation, food handling and/or food delivery must demonstrate competency, to the satisfaction of a licensed dietitian or a person certified in a food safety education program, the following skills and abilities as relevant for the individual's job duties:
    - (a) Sensitivity training to the needs of older adults and/or disabled;
    - (b) Handling emergencies;
    - (c) Food preparation;
    - (d) Meal service and meal delivery;
    - (e) Food safety and sanitation; and,
    - (f) Handling hazardous materials.
- (J) The provider must develop, implement and evaluate the effectiveness of an annual internal quality control plan (IQCP) to assure the preparation and delivery of safe meals. The IQCP must reflect the required components defined in the Ohio uniform food safety code found in Chapter 3717-1 of the Administrative Code. The provider must furnish documentation of self-inspection outcome, problems identified and corrective action taken.

Effective:

R.C. 119.032 review dates: 06/15/2010

---

Certification

---

Date

Promulgated Under: 119.03  
Statutory Authority: 173.02, 173.391, 173.40, 173.402  
Rule Amplifies: 173.39, 173.391, 173.402  
Prior Effective Dates: 04/16/2006