

173-4-05.1

Older Americans Act nutrition program: congregate dining projects.

The following are the requirements for every AAA-provider agreement for a congregate dining project paid, in whole or in part, with Older Americans Act funds:

(A) The AAA-provider agreement is subject to rules 173-3-06 and 173-4-05 of the Administrative Code.

(B) Availability:

(1) The provider shall keep at least one congregate dining location in its nutrition project open for business to provide meals for at least one mealtime (i.e., a breakfast, lunch, or dinner) per day to consumers on five or more days per week, within a reasonable distance to older adult target populations. An AAA may obtain ~~ODA's~~ AGE's approval to enter into an AAA-provider agreement that allows fewer days per week or during a state of emergency declared by the governor or a federal public health emergency.

(2) The provider has flexibility to offer meals in different congregate dining locations on different days rather than have every congregate dining location open for at least five days per week.

(C) Carry-out meals: Older Americans Act Title III-C1 funds do not pay, in whole or in part, for ~~regularly-provided~~ carry-out meals (also known as "grab-and-go meals") provided at congregate dining locations, ~~but may pay for occasional carry-out meals, including meals sent home with consumers to prepare for an anticipated closing of congregate dining locations for weather-related emergencies or a state of emergency declared by the governor or a federal public health emergency.~~ unless all of the following apply:

(1) AGE approved an AAA's area plan or an amendment to the area plan to allow Title III C-1 funds to pay, in whole or in part, for carry-out meals pursuant to 45 C.F.R. 1321.87(a)(1)(i), subject to any limitations in the approved area plan or area plan amendment.

(2) The meals provided on a carry-out basis do not exceed the twenty-five-per-cent limits in 45 C.F.R. 1321.87(a)(1)(ii).

(3) Each carry-out meal is provided to a consumer in one of the scenarios under 45 C.F.R. 1321.87(a)(1)(iii).

(D) Emergency closings:

- (1) The provider shall give those consumers enrolled in its congregate dining project reasonable notice, to the extent practicable, before a scheduled mealtime when a congregate dining location will be closed due to weather-related emergencies, loss of power, kitchen malfunctions, natural disasters, a state of emergency declared by the governor, or a federal public health emergency by using broadcast media, its website, telephone, or by any combination of the three.
 - (2) The provider shall distribute information to consumers on how to stock an emergency food shelf to prepare for emergency closings.
- (E) Quality assurance: Each year, the provider shall implement a plan to evaluate and improve the effectiveness of the project's operations and services to ensure continuous improvement by reviewing the existing project and the changing needs or interests of consumers, staff, or volunteers.
- (F) Meal verification:
- (1) The following are the mandatory reporting items for each meal provided that a provider retains to comply with the requirements under paragraph (B)(9) of rule 173-3-06 of the Administrative Code:
 - (a) Consumer's name.
 - (b) Date of meal provision.
 - (c) Unique identifier of the consumer or the consumer's caregiver to attest to receiving the meal.
 - (2) During a state of emergency declared by the governor or a federal public health emergency, the provider may verify each meal provided without collecting a unique identifier of the consumer or the consumer's caregiver.

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CERTIFIED ELECTRONICALLY

Certification

10/16/2025

Date

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C.F.R. 1321.9

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C.F.R. 1321.73, 1321.87

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