

173-4-05.2

Older Americans Act nutrition program: home-delivered meals projects.

The following are the requirements to include in every AAA-provider agreement for a home-delivered meals 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) Delivery:

(1) Availability:

(a) Per-meal delivery:

(i) To a consumer who chooses to receive per-meal deliveries and needs meals on five or more days per week, the provider shall deliver at least one meal per day for five or more days per week.

(ii) To a consumer who chooses to receive per-meal deliveries, but does not need meals on five or more days per week, the provider shall deliver at least one meal per day on days that the consumer needs meals.

(b) Periodic delivery: The provider has flexibility to deliver meals to cover multiple mealtimes in one delivery to consumers who choose periodic deliveries.

(c) State of emergency: During a state of emergency declared by the governor or a federal public health emergency, the provider has flexibility to, in one delivery, deliver meals to cover multiple mealtimes for consumers who received meals before the state of emergency (or federal public health emergency) by per-meal delivery or periodic delivery.

(2) Successful deliveries: The provider may deliver meals to the consumer's home only when the consumer or the consumer's caregiver is home, unless otherwise authorized by the AAA.

(3) Delivery method: 45 C.F.R. 1321.87 allows the provider to deliver meals by home delivery, pick-up, carry-out, drive-through, or similar methods.

(C) Emergency closings: The provider shall develop and implement emergency preparedness plans for emergency closings due to short-term weather-related emergencies, loss of power, kitchen malfunctions, natural disasters, a state of

emergency declared by the governor (or a federal public health emergency), etc. that include both of the following:

- (1) Providing timely notification of emergency situations to consumers.
 - (2) Distributing either of the following:
 - (a) Information to consumers on how to stock an emergency food shelf.
 - (b) Shelf-stable meals to consumers for an emergency food shelf.
- (D) 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 needs or interest of consumers, staff, or volunteers.
- (E) Delivery verification: The following are the mandatory reporting items for each meal delivery that a provider retains to comply with the requirements under paragraph (B) (9) of rule 173-3-06 of the Administrative Code:
- (1) Consumer's name.
 - (2) Delivery date.
 - (3) Number of meals delivered.
 - (4) A unique identifier of the consumer, the consumer's caregiver, or the delivery person to attest to the delivery.
- (F) Health and wellness: 45 C.F.R. 1321.87 allows the provider to encourage consumers of home-delivered meals to participate in congregate dining and other health-and-wellness activities, as feasible, based on a person-centered approach and local availability.

Effective:

Five Year Review (FYR) Dates: 8/11/2025

Certification

Date

Promulgated Under: 119.03

Statutory Authority: 121.07, 173.01, 173.02, 173.392; 42 U.S.C. 3025; 45
C.F.R. 1321.9

Rule Amplifies: 173.39, 173.392; 42 U.S.C. 3025, 3030e, 3030g-21; 45
C.F.R. 1321.73, 1321.87

Prior Effective Dates: 03/23/2009, 09/01/2016, 08/24/2017, 06/11/2020
(Emer.), 12/31/2020, 01/29/2022, 01/01/2023