

## **The Healthy, Hunger-Free Kids Act of 2010**

This Act includes provisions for the Child and Adult Care Food Program (CACFP), National School Lunch Program, Summer Food Service Program, and WIC. The provisions for CACFP are focused on the promotion of nutrition and wellness, reducing paperwork, and increasing access to after-school meals for school-age children.

### **For Preschool CACFP, the legislation:**

- Requires only lower-fat milk options to be served to children over age two, as recommended in the Dietary Guidelines.
- Requires drinking water to be made available and accessible throughout the day.
- Creates a timeline directing the Secretary of Agriculture to issue proposed regulations updating the CACFP meal pattern and nutrition standards within 18 months of the publication of the Institute of Medicine CACFP report.
- Requires USDA to periodically reassess and update the CACFP meal pattern and nutrition standards, as well as reimbursement rates and costs to providers, no less frequently than every 10 years.
- Directs the USDA to issue guidance by 2011 encouraging participating child care centers and family child care homes to offer healthier meals and snacks, provide opportunities for physical activity, and limit electronic media use.
  - This guidance will come in the form of technical assistance handbooks to providers. The bill includes \$10 million for USDA to provide this technical assistance.
- Creates a study of the nutrition and wellness practices in child care settings, to be conducted every 5 years. The study will also assess barriers.
- Directs the Secretary of Agriculture to work with the Secretary of Health and Human Services to encourage state licensing agencies to include wellness standards within state licensing standards.
- Makes administrative changes including:
  - Allowing sponsors and child care center to submit an application to the State agency only once, and to submit additional information annually only as necessary to confirm that they remain in compliance with program requirements.
  - Continuing the USDA working group to reduce paperwork and improve program administration and requiring USDA to report the results to Congress.
  - Eliminating the block claim requirement.
  - Allowing providers to facilitate the return of participating children's family income forms.
  - Requiring permanent operating agreements with the state agency which may be amended as necessary.
  - Allowing the use of high school and middle school free and reduced-priced school lunch participation levels to determine Tier 1 area eligibility for family child care homes (which allows for no means test for family income of children enrolled receiving CACFP).

- Permitting sponsoring organizations to carry over a maximum of 10 percent of administrative funds into the following fiscal year.
- Allowing state WIC agencies to permit local WIC agencies to share nutrition education materials with CACFP providers at no cost if an agreement exists between the agencies.
- Allowing USDA to increase the state audit funds made available to any state agency from 1.5 percent to up to a total of 2 percent if the state agency demonstrates that it can effectively use the funds to improve program management.
- Requiring state agencies to review institutions at least once every 3 years and to conduct more frequent reviews of sponsors that are part of multi-purpose organizations, larger sponsors, and sponsors identified or at risk of having serious management problems.
- Requiring the federal-state agreement to make clear the expectation that the federal funds provided are to be fully utilized for that purpose and that such funds should be excluded from State budget restrictions or limitations, including hiring freezes, work furlough and travel restrictions.
- Requiring state agencies that fail to meet the timeframes for providing an opportunity for a fair hearing and prompt determination to any institution to pay, from non-federal sources, valid claims for reimbursement to the institution and the facilities of the institution during the delay.
- Continuing the requirement for sponsors to vary the timing of unannounced reviews in a manner that makes the reviews unpredictable to the sponsored facilities.
- Making placement on the national CACFP and Summer Food Service Program disqualified list grounds for disqualification from participation in the other child nutrition programs.

**For School-age CACFP, the legislation:**

- Expands the at-risk after-school supper program from 14 pilot states to all states and the District of Columbia. Now, in all states, after school providers in low income areas will be able to receive reimbursement for serving full meals, rather than only for snacks.

**To Encourage Innovative Strategies, the legislation:**

- Creates competitive “Challenge Grants” to encourage states to think strategically about how to end childhood hunger.
  - No funds have yet been authorized for this initiative.