

**Rules of**  
**Department of Health**  
**Division 40—Division of Maternal, Child and**  
**Family Health**  
**Chapter 5—Food and Nutrition Programs**

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**Title 19—DEPARTMENT OF  
HEALTH**

**Division 40—Division of Maternal, Child  
and Family Health**

**Chapter 5—Food and Nutrition Programs**

**19 CSR 40-5.010 Special Supplemental  
Food Program for Women, Infants and  
Children (WIC)**

*PURPOSE: This rule establishes the requirements for agencies participating in the Special Supplemental Food Program for Women, Infants and Children.*

*Editor's Note: The secretary of state has determined that the publication of this rule in its entirety would be unduly cumbersome or expensive. The entire text of the material referenced has been filed with the secretary of state. This material may be found at the Office of the Secretary of State or at the headquarters of the agency and is available to any interested person at a cost established by state law.*

(1) Each Women, Infants and Children (WIC) program shall provide supplemental food, nutrition education and health care referral to eligible pregnant, breastfeeding and postpartum women, eligible infants and children up to five (5) years of age. Eligibility shall be based on inadequacy of income using the guidelines in 19 CSR 40-1.040(2) and assessed nutritional risk.

(2) Each WIC program shall follow the requirements of 7 CFR 246.1–246.28 in administering the program.

*AUTHORITY: section 192.005.2., RSMo 1986.\* Original rule filed Jan. 14, 1993, effective July 8, 1993.*

*\*Original authority: 192.005.2, RSMo, 1985.*

**19 CSR 40-5.020 State Funding for  
Extended Hours of the Special Supplemental  
Food Program for Women, Infants and  
Children (WIC) Clinics**

*PURPOSE: This rule establishes the procedures to be used by the Department of Health to award grants to local health units for extending clinic hours.*

(1) The following definitions shall be used in the interpretation and enforcement of this rule:

(A) County health unit means any entity approved by Department of Health to provide

Women, Infants and Children (WIC) services in a given service area;

(B) County poverty level means the economic level of a county as determined by use of the most recent United States census and the poverty income guidelines of 19 CSR 40-1.040(2).

(C) Participation means the sum of the number of pregnant and postpartum women, infants and children up to five (5) years of age who have received WIC supplemental food vouchers and the number of exclusively breastfed infants in the program during the reporting period.

(2) The following procedures shall be used by the Department of Health when determining which county health units will receive grants authorized by section 191.807, RSMo:

(A) All grants shall be awarded October 1 each year;

(B) County health units desiring to apply for a grant shall request an application from the Department of Health's WIC bureau;

(C) Completed applications shall be post-marked by August 15 each year;

(D) Grants shall be evaluated by a committee of three (3) persons appointed by the director of the Department of Health's Division of Maternal, Child and Family Health;

(E) There shall be a maximum of ten thousand dollars (\$10,000) for each grant; and

(F) Applicants shall be chosen based on the county poverty level and the percent of eligible women and children not served in the county.

*AUTHORITY: section 191.807, RSMo Supp. 1992.\* Original rule filed Jan. 14, 1993, effective July 8, 1993.*

*\*Original authority: 191.807, RSMo 1992.*

**19 CSR 40-5.050 Child and Adult Care  
Food Program (CACFP)**

*PURPOSE: This rule establishes the requirements for agencies participating in the Child and Adult Care Food Program. Through this program nutritious food service is provided to children and adult participants in nonresidential institutions that provide care.*

*PUBLISHER'S NOTE: The publication of the full text of the material that the adopting agency has incorporated by reference in this rule would be unduly cumbersome or expensive. Therefore, the full text of that material will be made available to any interested person at both the Office of the Secretary of State and the office of the adopting agency, pur-*

*suant to section 536.031.4, RSMo. Such material will be provided at the cost established by state law.*

(1) Sponsoring organizations of day care homes can request all, part, or no administrative advance payment when they submit an annual application for participation in the Child and Adult Care Food Program (CACFP).

(2) Section 708(f) of Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) states that it is beyond the authority of the United States Department of Agriculture (USDA) to require state agencies to continue to make advances to CACFP institutions, including administrative advances to sponsoring organizations of day care homes. Instead, state agencies are now given the option to issue advances. This rule outlines criteria that will be used by the Missouri Department of Health (MDOH) to issue administrative advances for sponsoring organizations of day care homes.

(3) The MDOH will review and approve advance payments for those sponsoring organizations that can demonstrate good program performance which includes, but is not limited to, financial accountability and meal quality with emphasis on proper fund management.

(A) If approved, the advance payment will be issued as specified in 7 CFR 226.6(b)(10), which is hereby incorporated by reference and made a part of this rule.

(B) If the request for advance payment is denied, the sponsoring organization will be provided with a written explanation and will be given an opportunity to appeal as specified in 7 CFR 226.6(k), which is hereby incorporated by reference and made a part of this rule.

(4) Sponsoring organization means a public or nonprofit private organization which is approved by MDOH for administering the CACFP in one (1) or more day care homes.

(5) Each sponsoring organization participating in the Child and Adult Care Food Program shall follow all other requirements which can be found in 7 CFR 226.1–226.27, which is hereby incorporated by reference and made a part of this rule.

*AUTHORITY: sections 192.006, RSMo Supp. 1998 and 192.025, RSMo 1994.\* Original rule filed Jan. 14, 1993, effective July 8, 1993. Rescinded and readopted: Filed April 16, 1999, effective Oct. 30, 1999.*



*\*Original authority: 192.006, RSMo 1993, amended 1995; and 192.025, RSMo 1951.*

### **19 CSR 40-5.060 Summer Food Service Program (SFSP) for Children**

*PURPOSE: This rule establishes the requirements for agencies participating in the Summer Food Service Program. Through this program nutritious food service is provided to children from needy areas during periods when area schools are closed for the summer months and at other approved times.*

*Editor's Note: The secretary of state has determined that the publication of this rule in its entirety would be unduly cumbersome or expensive. The entire text of the material referenced has been filed with the secretary of state. This material may be found at the Office of the Secretary of State or at the headquarters of the agency and is available to any interested person at a cost established by state law.*

(1) Each Summer Food Service Program (SFSP) shall follow the requirements of 7 CFR 225.1–225.20 for administering the program.

(2) Service institutions, as defined in section 191.810, RSMo, that want to participate in the SFSP shall apply to the Department of Health. Applications received will be processed in accordance with the standards in 7 CFR 225.6.

(3) School food authorities in needy areas, as defined in section 191.810, RSMo, who do not wish to sponsor the SFSP and are in areas where no other service institution is offering the SFSP, shall apply for a waiver as required in 5 CSR 30-680.070.

*AUTHORITY: section 191.810, RSMo Supp. 1992.\* Original rule filed Jan. 14, 1993, effective July 8, 1993.*

*\*Original authority: 191.810, RSMo 1992.*