

## **10A NCAC 13G .0904 NUTRITION AND FOOD SERVICE**

### **(a) Food Procurement and Safety in Family Care Homes:**

- (1) Food services shall comply with Rules Governing the Sanitation of Residential Care Facilities set forth in 15A NCAC 18A .1600 which are hereby incorporated by reference, including subsequent amendments, assuring storage, preparation, and serving food under sanitary conditions.
- (2) Only meat processed at a USDA-approved processing plant shall be served.
- (3) There shall be a three-day supply of perishable food and a five-day supply of non-perishable food in the facility based on the menus established in Paragraph (c) of this Rule, for both regular and therapeutic diets. For the purpose of this Rule "perishable food" is food that is likely to spoil or decay if not kept refrigerated at 40 degrees Fahrenheit or below, or frozen at zero degrees Fahrenheit or below and "non-perishable food" is food that can be stored at room temperature and is not likely to spoil or decay within seven days.

### **(b) Food Preparation and Service in Family Care Homes:**

- (1) Table service shall include a napkin and non-disposable place setting consisting of a knife, fork, spoon, plate, and beverage containers.
- (2) Hot foods shall be served hot and cold foods shall be served cold as set forth in Rule 15A NCAC 18A .1620(a) which is hereby incorporated by reference, including subsequent amendments.
- (3) If residents require feeding assistance, food shall be maintained at serving temperature until assistance is provided.

### **(c) Menus in Family Care Homes:**

- (1) Menus shall be prepared at least one week in advance with serving quantities specified and in accordance with the daily food requirements in Paragraph (d) of this Rule.
- (2) Menus shall be maintained in the kitchen and identified as to the current menu day for guidance of food service staff.
- (3) Any substitutions made in the menu shall be of equal nutritional value, in order to maintain the daily dietary requirements in Subparagraph (d)(3) of this Rule, appropriate for therapeutic diets, and documented in records maintained in the kitchen to indicate the foods actually served to residents.
- (4) Menus shall be planned to take into account the food preferences of the residents as documented on the Resident Register.
- (5) Menus as served, invoices, and other receipts for food or beverage purchases shall be maintained in the facility for 30 days.
- (6) Menus for all therapeutic diets shall be planned or reviewed by a licensed dietitian/nutritionist. The facility shall maintain verification of the licensed dietitian/nutritionist's approval of the therapeutic diets.
- (7) The facility shall have a matching therapeutic diet menu for any resident's physician-ordered therapeutic diet for guidance of food service staff.

### **(d) Food Requirements in Family Care Homes:**

- (1) Each resident shall be served a minimum of three nutritionally adequate meals based on the requirements in Subparagraph (d)(3) of this Rule. Meals shall be served at regular times comparable to normal meal times in the community. There shall be at least 10 hours between the breakfast and evening meals.
- (2) Foods and beverages shall be offered in accordance with each residents' prescribed diet or made available to all residents as snacks between each meal for a total of three snacks per day and shown on the menu as snacks.
- (3) Daily menus for regular diets shall be based on the U.S. Department of Agriculture Dietary Guidelines for Americans 2020-2025, which are hereby incorporated by reference, including subsequent amendments and editions. These guidelines can be found at [https://dietaryguidelines.gov/sites/default/files/2021-03/Dietary\\_Guidelines\\_for\\_Americans-2020-2025.pdf](https://dietaryguidelines.gov/sites/default/files/2021-03/Dietary_Guidelines_for_Americans-2020-2025.pdf), at no cost.
- (4) Water shall be served to each resident at each meal, in addition to other beverages.

### **(e) Therapeutic Diets in Family Care Homes:**

- (1) All therapeutic diet orders including thickened liquids shall be in writing from the resident's physician. Where applicable, the therapeutic diet order shall be specific to calorie, gram, or consistency, such as for calorie-controlled ADA diets, low sodium diets, or thickened liquids, unless there are written orders that include the definition of any therapeutic diet identified in the facility's therapeutic menu approved by a licensed dietitian/nutritionist. For the purpose of this Rule

"therapeutic diet" is a diet ordered by a physician, physician assistant, nurse practitioner, or a licensed dietician/nutritionist as delegated by the physician that is part of the treatment for a disease or clinical condition, to eliminate, decrease, or increase certain substances in the diet (e.g., sodium or potassium), or to provide mechanically altered food when indicated.

- (2) Physician orders for nutritional supplements shall be in writing from the resident's physician and be brand-specific, unless the facility has defined a house supplement in its communication to the physician, and shall specify quantity and frequency.
  - (3) The facility shall maintain a current listing of residents with physician-ordered therapeutic diets for guidance of food service staff.
  - (4) All therapeutic diets, including nutritional supplements and thickened liquids, shall be served as ordered by the resident's physician.
- (f) Individual Feeding Assistance in Family Care Homes:
- (1) The facility shall provide staff for individual feeding assistance as in accordance with residents' needs.
  - (2) Residents needing help in eating shall be assisted upon receipt of the meal and the assistance shall be unhurried and in a manner that maintains or enhances each resident's dignity and respect.
- (g) Variations from the required three meals or time intervals between meals to meet individualized needs or preferences of residents shall be documented in the resident's record. Each resident shall receive three meals in accordance with resident preferences as documented in the resident's record.

*History Note: Authority G.S. 131D-2.1(4); 131D-2.16; 131D-4.4; 143B-165;  
Eff. January 1, 1977;  
Amended Eff. October 1, 1977; April 22, 1977;  
Readopted Eff. October 31, 1977;  
Amended Eff. August 3, 1992; July 1, 1990; September 1, 1987; April 1, 1987;  
Temporary Amendment Eff. July 1, 2003;  
Amended Eff. June 1, 2004;  
Readopted Eff. March 1, 2023.*