

1 10A NCAC 13F .0904 is readopted as published in 36:24 NCR 1933-1937 as follows:

2  
3 **10A NCAC 13F .0904 NUTRITION AND FOOD SERVICE**

4 (a) Food Procurement and Safety in Adult Care Homes:

- 5 (1) ~~The kitchen, dining and food storage areas shall be clean, orderly and protected from contamination.~~  
6 Facilities with a licensed capacity of 7 to 12 residents shall ensure food services comply with Rules  
7 Governing the Sanitation of Residential Care Facilities set forth in 15A NCAC 18A .1600 which  
8 are hereby incorporated by reference, including subsequent amendments, assuring storage,  
9 preparation, and serving food and beverage under sanitary conditions.
- 10 (2) ~~All food and beverage being procured, stored, prepared or served by the facility shall be protected~~  
11 ~~from contamination.~~ Facilities with a licensed capacity of 13 or more residents shall ensure food  
12 services comply with Rules Governing the Sanitation of Restaurants and Other Foodhandling  
13 Establishments set forth in 15A NCAC 18A .1300 which are hereby incorporated by reference,  
14 including subsequent amendments, assuring storage, preparation, and serving of food and beverage  
15 under sanitary conditions.
- 16 (3) All meat processing shall occur at a USDA-approved processing plant.
- 17 (4) There shall be at least a three-day supply of perishable food and a five-day supply of non-perishable  
18 food in the facility based on the ~~menus,~~ menus established in Paragraph (c) of this Rule for both  
19 regular and therapeutic diets.

20 (b) Food Preparation and Service in Adult Care Homes:

- 21 (1) Sufficient staff, ~~space~~ space, and equipment shall be provided for safe and sanitary food storage,  
22 ~~preparation~~ preparation, and service.
- 23 (2) Table service shall include a napkin and non-disposable place setting consisting of at least a knife,  
24 fork, spoon, ~~plate~~ plate, and beverage containers. ~~Exceptions may be made on an individual basis~~  
25 ~~and shall be based on documented needs or preferences of the resident.~~
- 26 (3) Hot foods shall be served hot and cold foods shall be served cold.
- 27 (4) If residents require feeding assistance, food shall be maintained at serving temperature until  
28 assistance is provided.

29 (c) Menus in Adult Care Homes:

- 30 (1) Menus shall be prepared at least one week in advance with serving quantities specified and in  
31 accordance with the ~~Daily Food Requirements~~ daily food requirements in Paragraph (d) of this Rule.
- 32 (2) Menus shall be maintained in the kitchen and identified as to the current menu day and cycle for  
33 any given day for guidance of food service staff.
- 34 (3) Any substitutions made in the menu shall be of equal nutritional value, appropriate for therapeutic  
35 ~~diets~~ diets, and documented and maintained in the kitchen to indicate the foods actually served to  
36 residents.
- 37 (4) Menus shall be planned to take into account the food preferences ~~and customs~~ of the residents.

- 1 (5) Menus as served and invoices or other receipts of purchases shall be maintained in the facility for  
2 30 days.
- 3 (6) Menus for all therapeutic diets shall be planned or reviewed by a ~~registered dietitian~~, licensed  
4 dietitian/nutritionist. The facility shall maintain verification of the ~~registered dietitian's~~ licensed  
5 dietitian/nutritionist's approval of the therapeutic ~~diets which shall include an original signature by~~  
6 ~~the registered dietitian and the registration number of the dietitian~~, diets.
- 7 (7) The facility shall have a matching therapeutic diet menu for all physician-ordered therapeutic diets  
8 for guidance of food service staff.

9 (d) Food Requirements in Adult Care Homes:

- 10 (1) Each resident shall be served a minimum of three nutritionally ~~adequate~~, adequate based on the  
11 requirements in Subparagraph (d)(3) of this Rule, palatable meals to the residents. Meals shall be  
12 served a day at regular ~~hours~~ times comparable to normal meal times in the community. There shall  
13 be with at least 10 hours between the breakfast and evening meals.
- 14 (2) Foods and beverages ~~that are appropriate to residents' diets~~ shall be offered in accordance with  
15 residents' prescribed diet or made available to all residents as snacks between each meal for a total  
16 of three snacks per day and shown on the menu as snacks.
- 17 (3) Daily menus for regular diets shall be based on the U.S. Department of Agriculture Dietary  
18 guidelines for Americans 2020-2025, which are hereby incorporated by reference including  
19 subsequent amendments and editions. These guidelines can be found at  
20 [https://dietaryguidelines.gov/sites/default/files/2021-03/Dietary\\_Guidelines\\_for\\_Americans-2020-](https://dietaryguidelines.gov/sites/default/files/2021-03/Dietary_Guidelines_for_Americans-2020-2025.pdf)  
21 2025.pdf for no cost and include the following:
- 22 (A) ~~Homogenized whole milk, low fat milk, skim milk or buttermilk~~; Dairy and dairy  
23 alternatives: milk, yogurt, cheese, low-lactose or lactose-free dairy products, fortified soy  
24 beverages, and soy yogurt. One cup (8 ounces) of ~~pasteurized milk dairy or dairy~~  
25 alternatives at least ~~twice~~ three times a day. Milk served shall be pasteurized.  
26 Reconstituted dry milk or diluted evaporated milk may be used in cooking ~~only and not for~~  
27 ~~drinking purposes due to risk of bacterial contamination during mixing and the lower~~  
28 ~~nutritional value of the product if too much water is used~~, only.
- 29 (B) Fruit: Two servings of ~~fruit (one serving equals 6 ounces of juice; ½ cup of raw, canned~~  
30 ~~or cooked fruit; 1 medium size whole fruit; or ¼ cup dried fruit)~~, fruit; examples of one  
31 serving are as follows: 6 ounces of juice; ½ cup of raw, canned or cooked fruit; 1 medium-  
32 size whole fruit; or ¼ cup dried fruit. One serving shall be a citrus fruit or a single strength  
33 juice in which there is 100% of the recommended dietary allowance of vitamin C in each  
34 six ounces of juice. The second fruit serving shall be of another variety of fresh, ~~dried~~  
35 dried, or canned fruit.
- 36 (C) Vegetables: Three servings of ~~vegetables (one serving equals ½ cup of cooked or canned~~  
37 ~~vegetable; 6 ounces of vegetable juice; or 1 cup of raw vegetable)~~, vegetables; examples

1 of one serving are as follows: ½ cup of cooked or canned vegetable; 6 ounces of vegetable  
 2 juice; or 1 cup of raw vegetable. One of these shall be a dark green, ~~leafy~~ leafy, or deep  
 3 yellow vegetables three times a week.

4 (D) Eggs: One whole egg or substitute (~~e.g., 2 egg whites or ¼ cup of pasteurized egg product~~)  
 5 such as 2 egg whites or ¼ cup of pasteurized egg product at least three times a week at  
 6 breakfast.

7 (E) Protein: Two to three ounces of pure cooked meat at least two times a day for a minimum  
 8 of 4 ounces. A substitute (~~e.g.,~~ (such as 4 tablespoons of peanut butter, 1 cup of cooked  
 9 dried peas or ~~beans~~ beans, or 2 ounces of pure cheese) may be served three times a week  
 10 but not more than once a day, unless requested by the resident.

11 Note: For the purposes of this Rule, Bacon is considered to be fat and not meat for the  
 12 purposes of this Rule. does not meet the protein requirement for meat.

13 (F) Cereals and Breads: At least six servings of whole grain or enriched cereal and bread or  
 14 grain products a day. Examples of one serving are as follows: 1 slice of bread; ½ of a  
 15 bagel, ~~English muffin~~ English muffin, or hamburger bun; one 1 ½ -ounce muffin, 1- ounce  
 16 roll, 2-ounce biscuit or 2-ounce piece of cornbread; ½ cup cooked rice or cereal (~~e.g.,~~ (such  
 17 as oatmeal or grits); ¾ cup ready-to-eat cereal; or one waffle, ~~pancake~~ pancake, or tortilla  
 18 that is six inches in diameter. Cereals and breads offered as snacks may be included in  
 19 meeting this requirement.

20 (G) Fats: Include butter, oil, ~~margarine~~ margarine, or items consisting primarily of one of ~~these~~  
 21 (~~e.g., such as icing or gravy~~) these, such as icing or gravy.

22 (H) Water and Other Beverages: Water shall be served to each resident at each meal, in  
 23 addition to other beverages.

24 (e) Therapeutic Diets in Adult Care Homes:

25 (1) All therapeutic diet orders including thickened liquids shall be in writing from the resident's  
 26 physician. Where applicable, the therapeutic diet order shall be specific to caloric, ~~gram~~ gram, or  
 27 consistency, such as for ~~calorie-controlled~~ calorie-controlled ADA diets, low sodium ~~diets~~ diets, or  
 28 thickened liquids, unless there are written orders ~~which that~~ that include the definition of any therapeutic  
 29 diet identified in the facility's therapeutic menu approved by a ~~registered dietitian.~~ licensed  
 30 dietitian/nutritionist. For the purpose of this Rule "therapeutic diet" is a diet ordered by a physician  
 31 or other delegated provider that is part of the treatment for a disease or clinical condition, to  
 32 eliminate, decrease, or increase certain substances in the diet (e.g., sodium or potassium), or to  
 33 provide mechanically altered food when indicated.

34 (2) Physician orders for nutritional supplements shall be in writing from the resident's physician and be  
 35 ~~brand-specific,~~ brand-specific, unless the facility has defined a house supplement in its  
 36 communication to the physician, and shall specify quantity and frequency.

1 (3) The facility shall maintain ~~an accurate and~~ a current listing of residents with physician-ordered  
2 therapeutic diets for guidance of food service staff.

3 (4) All therapeutic diets, including nutritional supplements and thickened liquids, shall be served as  
4 ordered by the resident's physician.

5 (f) Individual Feeding Assistance in Adult Care Homes:

6 (1) ~~Sufficient~~ The facility shall provide staff shall be available for individual feeding assistance as  
7 ~~needed.~~ in accordance to residents' needs.

8 (2) Residents needing help in eating shall be assisted upon receipt of the meal and the assistance shall  
9 be unhurried and in a manner that maintains or enhances each resident's dignity and respect.

10 (g) Variations from the required three meals or time intervals between meals to meet individualized needs or  
11 preferences of residents shall be documented in the resident's record.

12

13 *History Note: Authority G.S. 131D-2.16; 143B-165;*

14 *Eff. January 1, 1977;*

15 *Readopted Eff. October 31, 1977;*

16 *Amended Eff. April 1, 1984;*

17 *Temporary Amendment Eff. July 1, 2003;*

18 *Amended Eff. June 1, ~~2004.~~ 2004.*

19 *Readopted Eff. January 1, 2023.*

1 10A NCAC 13G .0904 is readopted as published in 36:24 NCR 1933-1937 as follows:

2  
3 **10A NCAC 13G .0904 NUTRITION AND FOOD SERVICE**

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

- 5 (1) ~~The kitchen, dining and food storage areas shall be clean, orderly and protected from contamination.~~  
6 Food services shall comply with Rules Governing the Sanitation of Residential Care Facilities as  
7 promulgated by the Commission for Public Health which are hereby incorporated by reference,  
8 including subsequent amendments, assuring storage, preparation, and serving food under sanitary  
9 conditions. Copies of these Rules can be accessed online at  
10 <https://ehs.ncpublichealth.com/rules.htm>, at no cost.
- 11 (2) ~~All food and beverage being procured, stored, prepared or served by the facility shall be protected~~  
12 ~~from contamination.~~
- 13 (3)(2) All meat processing shall occur at a USDA-approved processing plant.
- 14 (4)(3) There shall be at least a three-day supply of perishable food and a five-day supply of non-perishable  
15 food in the facility based on the ~~menus,~~ menus established in Paragraph (c) of this Rule, for both  
16 regular and therapeutic diets.

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

- 18 (1) Sufficient staff, ~~space~~ space, and equipment shall be provided for safe and sanitary food storage,  
19 ~~preparation~~ preparation, and service.
- 20 (2) Table service shall include a napkin and non-disposable place setting consisting of at least a knife,  
21 fork, spoon, ~~plate~~ plate, and beverage containers. ~~Exceptions may be made on an individual basis~~  
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 2 dietitian/nutritionist. The facility shall maintain verification of the ~~registered dietitian's~~ licensed  
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 19 [2025.pdf](https://dietaryguidelines.gov/sites/default/files/2021-03/Dietary_Guidelines_for_Americans-2020-2025.pdf), at no cost and include the following:

20 (A) ~~Homogenized whole milk, low fat milk, skim milk or buttermilk;~~ Dairy and dairy  
 21 alternatives: milk, yogurt, cheese, low-lactose or lactose-free dairy products, fortified soy  
 22 beverages, and soy yogurt. One cup (8 ounces) of ~~pasteurized milk dairy or dairy~~  
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9 preferences of residents shall be documented in the resident's record.

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11 *History Note: Authority G.S. 131D-2.16; 143B-165;*  
12 *Eff. January 1, 1977;*  
13 *Amended Eff. October 1, 1977; April 22, 1977;*  
14 *Readopted Eff. October 31, 1977;*  
15 *Amended Eff. August 3, 1992; July 1, 1990; September 1, 1987; April 1, 1987;*  
16 *Temporary Amendment Eff. July 1, 2003;*  
17 *Amended Eff. June 1, ~~2004~~ 2004;*  
18 *Readopted Eff. January 1, 2023.*