



## Safe Food for Seniors Act

### Issue

Foodborne illness is a serious public health threat to all Americans, but seniors are most at risk as they are more susceptible to death or long-term health effects from foodborne-induced gastroenteritis. It is surprising, therefore, that there's no minimum federal training or certification qualification for a director of food service in a Medicare- or Medicaid-subsidized Skilled Nursing Facility (SNF).

### Background

Dept. of Health and Human Services Center for Medicare and Medicaid Service (CMS) regulations state:

- (a) The facility must employ a qualified dietitian either full-time, part-time, or on a consultant basis.
  - (1) If a qualified dietitian is not employed full-time, the facility must designate a person to serve as the director of food service who receives frequently scheduled consultation from a qualified dietitian.  
(42 CFR 483.35)

Thus, while there are training and certification requirements for a qualified dietitian, there are none for the director of food service meeting the nutritional needs of the facility's residents on a full-time basis.

### Solution

The Safe Food for Seniors Act would fill this unintended gap in CMS regulations, and raise the standard of care in Medicare- and Medicaid-subsidized SNFs, by strengthening regulations to ensure that SNFs receiving federal funds have their director of food service (if not a full-time dietitian) trained as a Certified Dietary Manager/Certified Food Protection Professional; or Dietetic Technician, Registered; or have equivalent training from military experience or traditional education. Furthermore, this initiative would close this gap at no cost to the federal government, while boosting a workforce training program for a rapidly growing sector of the economy.

To maintain the highest levels of food safety for seniors, some 17 states have adopted a formal training and/or certification requirement for the director of food service. However, regulations can vary widely, whereas the Safe Food for Seniors Act would standardize this qualification and reaffirm CMS intent of a base level of quality control in federally funded SNFs.

### Status

On July 29, the Safe Food for Seniors Act of 2015 (H.R. 3356) was introduced in the 114<sup>th</sup> Congress by Rep. Lynn Jenkins (R-KS) and Rep. Earl Blumenauer (D-OR), lead cosponsor. Additional cosponsors are expected when Congress returns from its August break.

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