

*****DRAFT - NOT FOR FILING*****

5122-30-13 Nutrition and food safety.

- (A) Each facility shall directly provide, or make provisions for, a minimum of three nutritionally balanced meals daily for each resident. If more than eight hours elapse between the evening meal and morning meal, a nutritious evening snack shall be provided.

If a resident is involved in programs, including vocational training or therapeutic day programs that require the resident to be absent from the facility during a scheduled meal time, the facility shall ensure the resident is provided with an adequate meal to take to his/her program, unless a meal is provided at no additional cost to the resident, as part of the program. When a resident is not present in the facility during a scheduled meal time, the facility shall provide a meal option when the resident returns unless the resident has already been provided a meal.

- (B) All meals shall be well-balanced, palatable, and properly prepared according to the standards of the U.S. department of agriculture, or national research council's recommended dietary allowances adjusted for age and sex.
- (C) Menus shall provide for a reasonable variety of foods. Menus shall reasonably accommodate religious restrictions of individual residents, as well as ethnic and cultural preferences of residents. Each facility shall make provisions for residents to select, discuss, and have input into meal planning as appropriate.

(D) In addition to the food provided at meal time and the snack, if applicable, the facility shall:

(1) Maintain, at all times, a one-week supply of staple foods and a two-day supply of perishable foods, such as fresh milk, bread, eggs, fruits and vegetables adequate to provide for the number of residents accommodated in the facility.

(2) Powdered milk shall not be used as a substitute for fresh milk, unless requested by the resident.

(3) When home canned products are used in preparation of resident meals, the facility shall label food containers with a minimum of the name of the food and date processed.

(E) Meal variety and resident food choices shall not be restricted due to the facility's efforts to use up food items.

~~(F)~~ (F) Residents requiring special diets, as specified by a physician or licensed dietitian, shall be provided the appropriate foods or nutritional supplements. Special diets shall be initiated and supervised by a licensed dietitian or physician, and shall be prepared in accordance with instructions issued by the physician or licensed dietitian.

~~(G)~~ (G) A record of the prior thirty day's menus shall be kept by the facility.

~~(H)~~ (H) The facility shall ensure all food shall be procured, stored, prepared, transported, distributed, and served in a manner that protects it against contamination and spoilage from the time of procurement to consumption.

~~(I)~~ (I) Each facility shall have an appropriate and adequate kitchen, and equipment facilities which are functional and in good repair for preparing and serving meals to residents.

~~(J)~~ (J) The facility shall ensure all equipment, utensils, kitchenware, tableware and surfaces upon which food comes in contact while in preparation, including but not limited to, counter tops, cutting boards and thawing trays shall be easily cleanable. Single use containers shall not be reused, whether or not they are cleaned.

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- ~~(J)~~(K) The facility shall provide safe drinking water which shall be readily accessible to residents at all times. Bottled or similar packaged potable water shall be obtained only from appropriately regulated sources and shall be handled and stored in a manner that protects it from contamination. Bottled and packaged potable water shall be dispensed to residents only from the original container.
- (L) Each facility shall maintain at least one working refrigerator which shall always be unlocked, accessible at all times to adult residents, and shall contain beverages and snacks for the residents' consumption. Access may be restricted only in accordance with the resident's ITP.
- (M) A facility shall not be required to be licensed as a food service operation under Chapter 3717. of the Revised Code unless the facility is preparing food under one or both of the following conditions:
- (1) A facility preparing food for the residents of two or more licensed facilities with a combined resident census exceeding sixteen residents shall be licensed as a food service operation by the appropriate licensor as defined by section 3717.01 of the Revised Code unless otherwise exempt.
 - (2) Any facility preparing food for consumption by residents at a second facility or multiple off-premise locations shall be licensed as a food service operation by the appropriate licensor defined by section 3717.11 of the Revised Code, unless otherwise exempt.
- (N) Facility staff shall ensure meals prepared in one facility food preparation area for transport or distribution to another area will be transported in a safe and sanitary manner to prevent contamination.
- (O) Meals intended for consumption by residents of a facility in that facility, but not prepared in that facility, shall be obtained by facility staff only from a source licensed as a food service operation under Chapter 3717. of the Revised Code.
- (P) Facilities not required to be licensed as a food service operation in accordance with paragraph (M) of this rule shall comply with standards set forth herein for food procurement and protection to include storage, preparation, display and handling.