

EARLY HEAD START TIP SHEET

No. 46

Purchasing Infant Formula, April 2011

Are Early Head Start programs required to buy specific brands of formulas for each enrolled infant and toddler?

Response:

Early Head Start (EHS) programs are responsible for providing formula as part of their comprehensive services; however, programs are not expected to purchase or provide each enrolled child with a brand-specific formula (e.g., Enfamil, Similac, Carnation, etc.). Furthermore, programs are not expected to provide a specific type of formula (e.g., powdered, concentrate, or ready-to-feed) for each enrolled child. Typically, infants and young toddlers use either a milk- or soy-based formula; having these basic types of formulas available usually suffices.

Programs need to be aware of local and state licensing regulations citing specific requirements that may impact their selection of formula. For example, some may require programs to only use ready-to-serve formula or stipulate that only family members may mix-up powdered formula for their the child.

Purchasing formulas to provide consistency between home and program

Many programs consult with their state and local public assistance agencies (e.g., WIC) and their own Health Services Advisory Committee to select a brand and type of formula that enrolled families are most likely to access and use with their children; therefore, minimizing the need for children to change formula.

If a child must change brand and/or type of formula, the process should involve the family's pediatrician. Signs of formula intolerance may include unexplained fussiness, excessive gas, diarrhea (could be bloody), spitting up, vomiting, and poor weight gain.

Purchasing specialty formulas for medical purposes / special needs

There may be times when a program is required to purchase a specific type or brand of formula to accommodate a child's unique circumstance due to allergies, lactose intolerance, medical, and/or special needs; in these cases, a doctor's note is needed. Programs do not need to keep these "specialty" formulas on hand (since formulas have a limited shelf life) unless an enrolled child is in need.

Programs should use information from families and medical personnel, as soon as possible, to best respond to each child's individual needs. Programs need to "identify each child's nutritional needs, special dietary requirements, food intolerances and preferences. This information must be used in providing nutritional services that include the purchase of formula designed to accommodate a child's special dietary requirement, formula intolerance, or preference."¹

¹ Policy Clarification OHS-PC-B-049, ¶2, March 20, 2009.

Families are not required to provide formula when child is participating in program

Early Head Start programs are responsible for supplying the necessary, age-appropriate materials, such as formula, that meet the needs and facilitate the participation of the children and families. As cited below in 1305.9, once a child and family is determined to be eligible for Head Start, a program may not solicit, encourage, or in any other way condition a child's enrollment or participation in the program upon the payment of a fee. Costs incurred by families when purchasing formula for program use could be considered a fee.

Questions to Consider for Planning and Programming:

- What is the procedure for learning each child's preferred formula (milk- or soy-based) from families? Is it part of the enrollment process?
- What is the program's policy concerning formula? How is it communicated to staff and families? Does the parent handbook include information about how the program selected its formula and the process for accommodations based on a child's medical or nutritional needs?
- How are the family and their pediatrician involved in the process, especially if and when a child is changing formula brands or types?
- How does the program ensure individualized services when purchasing and providing formula?
- How does the program ensure timely provision of specialty formula for children in need? What is the process to identify preferred brand and type of formula, track and document individual special needs, monitor each child's tolerance of selected formula, and provide necessary follow-up?
- Does the program's choice of milk- and soy-based formula match their state WIC agency's selection?
- How does the program involve its Health Services Advisory Committee in the decision-making process for selecting and purchasing brands and types of formula? Who else is involved?
- Does the program's budget include the cost of formula?

Performance Standards, Title 45, Code of Federal Regulations:

- 1304.23(a)(2) Staff and families must work together to identify each child's nutritional needs, taking into account staff and family discussions concerning information about family eating patterns, including cultural preferences, special dietary requirements for each child with nutrition-related health problems, and the feeding requirements of infants and toddlers and each child with disabilities.
- 1304.23(b)(1)(iv) Each infant and toddler in center-based settings must receive food appropriate to his or her nutritional needs, developmental readiness and feeding skills, as recommended in the USDA meal pattern or nutrient standard menu planning requirements.
- 1304.23(b)(2) & 1306.33(c)(3) Grantee and delegate agencies operating home-based options must provide appropriate snacks and meals to each child during group socialization activities.
- 1304.20(f)(1) Grantee and delegate agencies must use the information from the screenings for developmental, sensory, and behavioral concerns, the ongoing observations, medical and dental evaluations and treatments, and insights from the child's parents to help staff and parents determine how the program can best respond to each child's individual characteristics, strengths, and needs.
- 1304.23 (b)(1)(i) All Early Head Start and Head Start grantee and delegate agencies must use funds from USDA Food and Consumer Services Child Nutrition Programs as the primary

source of payment for meal services. Early Head Start and Head Start funds cover those fiscally allowable costs not covered by the USDA.

- 1305.9 A Head Start program must not prescribe any fee schedule or otherwise provide for the charging of any fees for participation in the program. If the family of a child determined to be eligible for participation by a Head Start program volunteers to pay for part or all of the costs of the child's participation, the Head Start program may accept the voluntary payments and record the payments as program income. Under no circumstances shall a Head Start program solicit, encourage, or in any other way condition a child's enrollment or participation in the program upon the payment of a fee.

Resources:

American Academy of Pediatrics. <http://www.aap.org/>

Early Head Start National Resource Center. **Early Head Start Tip Sheets.** *The Early Childhood and Knowledge Center.* DHHS/ACF/OHS.

- **3: Do Programs Need to Provide Formula During Socializations?** August 2010
- **8: Are Early Head Start Programs Responsible for Providing Diapers and Formula in Center-Based Programs?** October 2009

Policy Clarification OHS-PC-B-049: Are Head Start Programs Required to Provide Formula? DHHS/ACF/OHS, March 20, 2009.

Tsang, Gloria RD. **"Infant Formula 101."** HealthCastle.com. September 2005.
<http://www.healthcastle.com/infant-formula.shtml> (accessed April 14, 2011).

U.S. Department of Agriculture (USDA). **Food and Nutritional Service (FNS).**

- **"Frequently Asked Questions about Women, Infants, and Children (WIC) 7: What is the WIC infant formula rebate system?"**
<http://www.fns.usda.gov/wic/FAQs/faq.htm> (accessed April 14, 2011).
- **Issues Related to Feeding Infants in the Child and Adult Care Food Programs (CACEFP).** April 2000. <http://www.fns.usda.gov/cnd/care/Regs-Policy/InfantMeals/2000-04-20.htm> (accessed April 14, 2011).
- **Women, Infants, and Children (WIC).** <http://www.fns.usda.gov/wic/>

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This Tip Sheet is not a regulatory document. Its intent is to provide a basis for dialogue, clarification, and problem solving among Office of Head Start, Regional Offices, TA consultants, and grantees. If you need further clarification on Head Start Policies and regulations, please contact your Regional Program Specialist.