

LONG TERM CARE COMMUNITY COALITION

Advancing Quality, Dignity & Justice

FOOD, NUTRITION, AND DIETARY SERVICES

FACT SHEET

Nursing homes are required to follow a set of standards to ensure that residents receive appropriate food, nutrition, and dietary services. Unfortunately, residents are too often subjected to repetitive, unappetizing, and nutrient-deprived meals. A [2018 CMS survey](#) found food storage to be the second-most cited deficiency in nursing homes. For more information on this study, see our brief, [Animal Care vs Nursing Home Care: Safe Food Handling](#).

This fact sheet contains information on federal requirements for food and nutrition services in nursing homes.

Note: Information below quotes directly or paraphrases the Code of Federal Regulations (CFR), federal guidance,¹ or other resources (see footnotes). Federal standards are applicable to all residents in licensed U.S. nursing homes, including short-term, long-term, private pay, Medicaid, Medicare, or privately insured.

Food and Nutrition Services

42 C.F.R. § 483.60, F-800

The facility must provide each resident with a nourishing, palatable, well-balanced diet that meets their daily nutritional and special dietary needs, taking into consideration the preferences of each resident.

Staffing

The facility must employ sufficient staff with the appropriate competencies and skill sets to carry out the functions of the food and nutrition service, taking into consideration resident assessments, individual plans of care and the number, acuity, and diagnoses of the facility's resident population.

Common complaints about food from residents:

- ✓ Unpalatable
- ✓ Cold
- ✓ Does not match the menu
- ✓ Lack of choice
- ✓ Plastic cutlery
- ✓ Microwave-only options
- ✓ Small portion sizes

Common food/dietary errors that could lead to a citation:

- ✓ Neglect of a food allergy
- ✓ Not honoring cultural and/or religious dietary choices
- ✓ Insufficient staff to safely feed residents who require assistance

¹ <https://www.cms.gov/medicare/provider-enrollment-and-certification/guidanceforlawsandregulations/downloads/appendix-pp-state-operations-manual.pdf>.

If a qualified dietitian or other clinically qualified nutrition professional is not employed full-time, the facility must designate a person to serve as the director of food and nutrition services.

Menus and Nutritional Adequacy

The residents' right to make dietary choices *must* be prioritized. Menus must:

- ✓ Meet the nutritional needs of residents in accordance with established national guidelines;
- ✓ Be prepared in advance;
- ✓ Be followed;
- ✓ Reflect, based on a facility's reasonable efforts, the religious, cultural, and ethnic needs of the resident population, as well as input received from residents and resident groups;
- ✓ Be updated periodically;
- ✓ Be reviewed by the facility's dietitian or other clinically qualified nutrition professional for nutritional adequacy; and
- ✓ Nothing in this paragraph should be construed to limit the resident's right to make personal dietary choices.

Frequency of Meals

Each resident must receive, and the facility must provide, at least three meals daily, at regular times comparable to normal mealtimes in the community **or in accordance with resident needs, preferences, requests, and plan of care.**

Suitable, nourishing alternative meals and snacks must be provided to residents who want to eat at non-traditional times or outside of scheduled meal service times, consistent with the resident plan of care.

Food and Drink Must be Palatable, Attractive, and at a Safe and Appetizing Temperature

According to CMS's Interpretative Guidance, examples of events to be reported include, but are not limited to:

- Lack of sufficient amounts of food to meet the residents' nutritional need;
- The facility failed to identify a resident's cultural dietary restrictions related to eating pork;
- Insufficient staff (including on the night shift and weekends) resulting in the lack of provision for resident's care needs.

ADDITIONAL RESOURCES

- WWW.NURSINGHOME411.ORG. LTCCC's website includes materials on the relevant standards for dietary services in nursing homes, including our webinar [Setting the Table for Resident-Centered Dining](#).
- WWW.THECONSUMERVOICE.ORG. Consumer Voice has fact sheets related to quality of care, including information on the [dangers of malnutrition and dehydration in nursing homes](#).