

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

**173-4-05.2 Therapeutic and modified meals.**

**Comment [ODA1]:** FOR RESCISSION.  
Please see the proposed new version of the rule.

Before a provider may offer a therapeutic or modified meal, the provider shall determine the need, feasibility, and cost-effectiveness of offering a therapeutic or modified meal by using the knowledge and expertise of a LD. The provider shall only provide a therapeutic or modified meal that meets the requirements of rule 173-4-05 of the Administrative Code and the following requirements:

(A) Therapeutic meals:

(1) Physician order:

- (a) The provider may only provide a therapeutic meal as ordered by a physician, or another healthcare professional with prescriptive authority, as part of a treatment of a disease or a clinical condition to eliminate, decrease, or increase certain foods or nutrients in the diet.
- (b) The provider may only provide a therapeutic meal if the order of a physician, or another healthcare professional with prescriptive authority, is on file with the provider or the AAA.
- (c) The case manager of the AAA or the provider shall review the physician's written order for a therapeutic meal and update the order any time the physician changes the order.
- (d) The provider shall assure that the therapeutic diet contains nutrients consistent with the physician's order by either utilizing nutrient analysis or by using a meal-pattern plan approved by a LD.

(2) Dysphagia therapeutic meals:

- (a) The provider may provide a dysphagia therapeutic meal for someone with a diagnosed neurological condition that makes oral or pharyngeal swallowing difficult or dangerous. The provider shall make the dysphagia meal with a consistency that is specific to the consumer's needs.
- (b) The physician or other healthcare professional with prescriptive authority shall order either a level-one (puréed) or level-two (chopped or ground) dysphagia therapeutic diet. The order shall include thickening agents, if required.

(3) Diabetic meals using carbohydrate choices:

- (a) The provider shall take the following principles into consideration when planning a diabetic meal using carbohydrate choices: The amount of carbohydrates consumed and the timing of meals, rather than the source of the carbohydrates, are the keys to controlling blood-sugar levels. One carbohydrate choice is equivalent to fifteen grams of carbohydrates. Carbohydrates are found in bread/starch, milk, fruit, starchy vegetables, and desserts.
- (b) If the provider uses a menu pattern to plan a diabetic meal using carbohydrate choices, the provider:
  - (i) Shall limit a consumer to four to five carbohydrate choices per meal;
  - (ii) Shall allow a consumer no carbohydrate choices for meat or meat alternates. Dried beans, peas, and lentils are considered starchy vegetables;
  - (iii) Shall allow one carbohydrate choice per serving of starchy vegetables and use the same items and serving sizes listed in paragraph (B)(3) of rule 173-4-05.1 of the Administrative Code. Starchy vegetables include baked beans; corn; corn-on-the-cob; cooked, dried beans (e.g., pinto

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beans, kidney beans, and navy beans); lima beans; lentils; mixed vegetables with corn; peas; plantain; potato; sweet potato; winter squash (e.g., acorn, butternut, pumpkin); and yams;

- (iv) Shall allow one carbohydrate choice per serving of fruit. One carbohydrate choice equals one piece of a small or medium-sized fresh fruit; one-half cup of unsweetened, frozen fruit; one-half cup of unsweetened, canned fruit; one-half cup of unsweetened fruit juice; or one-fourth cup of dried fruit;
- (v) Shall allow one carbohydrate choice per serving of milk, yogurt, or soy beverage; but do not allow any carbohydrate choice for cheese or tofu. One carbohydrate choice is equivalent to one cup of buttermilk, low-fat milk, or fat-free milk fortified with vitamins A and D; one cup of lactose-reduced or lactose-free milk; six ounces of low-fat yogurt that is fortified with vitamins A and D; or one cup of low-fat soy beverage that is fortified with calcium and vitamins A and D;
- (vi) Shall allow one carbohydrate choice per serving of dessert. One carbohydrate choice equals one ounce or a two-inch square of an unfrosted brownie or cake, two small plain cookies, one-half cup of frozen yogurt; one-half cup of sugar-free pudding; or, a slice of single-crust pie that is one-sixteenth of an eight-inch-diameter pie; and,
- (vii) May use the guidelines in the "Carbohydrate Choice Guidelines" table to this rule. The table's menu illustrates how carbohydrate choices can be used to plan a diabetic meal. The amount of carbohydrates a person consumes and the timing of the meals, rather than the source of the carbohydrates, are the keys to controlling blood-sugar levels. One carbohydrate choice is equal to fifteen grams of carbohydrates.

Carbohydrate Choice Guidelines

FOODS	CARBOHYDRATE CHOICES	EXAMPLES
2 ounces of meat or meat alternate (with the exception of dried beans, peas, and lentils, which are considered starchy vegetables)	0	2 ounces few baked chicken
1 serving of a non-starchy vegetable	0	1/2 cup of green beans
1 serving of a starchy vegetable	1	1/2 cup of mashed potatoes
1 serving of fruit	1	1/2 cup of unsweetened peaches
1 serving of bread or bread alternate	1	1 slice of whole wheat bread
1 serving of milk or milk alternate	1	8 ounces of low-fat milk
TOTAL	4	

(B) Modified meals:

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- (1) The provider may only provide a modified meal if the nutritional adequacy of the meal is determined by nutrient analysis or the menu pattern.
- (2) A modified meal may be provided to a consumer without an order from a healthcare professional.
- (3) If the provider offers modified meals, the provider shall offer:
  - (a) Lower-sodium substitutions for foods containing four hundred eighty milligrams of sodium (or more) per serving<sup>2</sup>.
  - (b) Dental soft substitutions that are chopped, ground, or puréed and that are similar in nutritive value, but have a softer consistency to help with chewing<sup>2</sup>.
  - (c) Milk-alternate substitutions, if milk is offered on the menu; or,
  - (d) Low-fat, low-cholesterol substitutions, if the regular menu item is high in fat and cholesterol according to the standards established in the national cholesterol education program diet or the heart-healthy diet program. "Heart-healthy diet" means a diet that involves a decrease in the consumption of foods high in cholesterol and fat compared to an average diet. If the provider offers low-fat, low-cholesterol substitutions, the provider shall not offer:
    - (i) Foods that are high in fat include fatty meats (e.g., ribs, regular hamburger, bacon, sausage, cold cuts, salami, bologna, corned beef, hot dogs, fried meats, fried fish, chicken skin, turkey skin); sauces and gravies; fried vegetables; whole milk dairy products (e.g., whole milk, two per cent milk, whole-milk yogurt, ice cream, cream, half and half, cream cheese, sour cream, whole-milk cheeses); high-fat bakery items (e.g., biscuits, croissants, pastries, doughnuts, pies, cookies, muffins) and solid fats (e.g., butter, stick margarine, shortening, lard).
    - (ii) Foods that are high in cholesterol include organ meats (e.g., liver).
    - (iii) Foods that include egg yolks more than twice per week.