



Waiver Request to Allow the State Agency to Notify the Health Department of Operation on Behalf of the Sponsors

Submitted on: 2025 June 24

1. State agency submitting waiver request and responsible State agency staff contact information:

Maine Department of Education, Child Nutrition
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136 State House Station, Augusta, Maine 04333

2. Region: Northeast

3. Eligible service providers participating in waiver and affirmation that they are in good standing: Maine is requesting a state-wide waiver for non-SFA SFSP Sponsors in good standing.

4. Description of the challenge the State agency is seeking to solve, the goal of the waiver to improve services under the Program, and the expected outcomes if the waiver is granted. [Section 12(l)(2)(A)(iii) and 12(l)(2)(A)(iv) of the NSLA]: 7 CFR 225.16(a) requires SFSP sponsors to notify the appropriate health department of their operation. Maine Department of Education Child Nutrition Programs requests the option to fulfill the requirement to notify the Health Department of SFSP site locations on behalf of the sponsors. This is part of an effort to reduce the burden on the Department of Health and Human Services (DHHS).

Maine has a centralized state-level health department. There are no local, city and county-level health departments in Maine; everything is handled at the state-level. The State agency maintains a close relationship with the Maine DHHS. Therefore, statewide notification on behalf of the sponsoring organizations by the State agency would reach the required public health officials. It will be more effective and efficient to send the Maine DHHS a master list of sites, as opposed to the piecemeal sponsor-by-sponsor approach.

The Maine DHHS has indicated that the ad hoc contacts from over 100 individual sponsors regarding over 400 sites are burdensome to track. A single list provided by the Department of Education will simplify this for the Maine DHHS and ensure that the correct information about all sponsors and sites is received by the correct staff.

The State agency proposes sending Maine DHHS the list three times during Summer 2025 operation, starting June 15, 2025. This will ensure that the information is shared with the Health Department prior to the commencement of program operation. The State agency will submit the same site list to the Health Department that is provided to the summertechsupport@fns.usda.gov email to populate the Summer Meals for Kids Site Finder.

5. Specific Program requirements to be waived (including statutory and regulatory citations). [Section 12(l)(2)(A)(i) of the NSLA]: Per 7 CFR 225.16(a) Sanitation: "Within two weeks of receiving notification of their approval, but in any case, prior to commencement of Program operation, sponsors shall submit to the State agency a copy of their letter advising the appropriate health department of their intention to provide a food service during a specific period at specific sites."

6. **Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:** This will alleviate the burden on SFSP sponsors and the state Health Department. It will have no impact on systems or technology as the state will use the existing SFSP site list report to complete the requirement.
7. **Description of any steps the State has taken to address regulatory barriers at the State level. [Section 12(l)(2)(A)(ii) of the NSLA]:** There are no regulatory barriers at the state level.
8. **Anticipated challenges State or eligible service providers may face with the waiver implementation:** This waiver has been in place historically in Maine. Maine does not anticipate any additional challenges as a result of extension.
9. **Description of how the waiver will not increase the overall cost of the Program to the Federal Government. If there are anticipated increases, confirm that the costs will be paid from non-Federal funds. [Section 12(l)(1)(A)(iii) of the NSLA]:**
This waiver will not increase the overall cost of the program to the federal government. It will reduce the administrative burden of the SFSP sponsors in reporting the information and Maine DHHS in tracking the individual sponsor notifications and will strengthen Program integrity by communicating information directly from one State agency to another.
10. **Anticipated waiver implementation date and time period:** Jun 15, 2025 - Sep 30, 2025.
11. **Proposed monitoring and review procedures:** This waiver will not impact monitoring. Maine will continue to review per federal regulations.
12. **Proposed reporting requirements (include type of data and due date(s) to FNS):** The State agency will report the number of Sponsors covered by this waiver no later than December 31, 2025. The State agency will report how this waiver reduced administrative burden on the State agency and sponsors and how it facilitated access to nutritious meals for children.
13. **Link to or a copy of the public notice informing the public about the proposed waiver [Section 12(l)(1)(A)(ii) of the NSLA]:** <https://www.maine.gov/doe/schools/nutrition/laws>
14. **Signature and title of requesting official:**

Title: Child Nutrition Supervisor

Requesting official's email address for transmission of response:

nicholas.j.labreck@maine.gov

TO BE COMPLETED BY FNS REGIONAL OFFICE:

FNS Regional Offices are requested to ensure the questions have been adequately addressed by the State agency and formulate an opinion and justification for a response to the waiver request based on their knowledge, experience and work with the State.

Date request was received at Regional Office:

- ☐ Check this box to confirm that the State agency has provided public notice in accordance with Section 12(l)(1)(A)(ii) of the NSLA

Regional Office Analysis and Recommendations: