

Food allergies and child care

Child Care Licensing is a division of the Department of Family and Protective Services (DFPS). It regulates and monitors child care operations in Texas. For more information about child care licensing and its services, visit www.dfps.state.tx.us/child_care.

In September 2016, Child Care Licensing rolled out new health and safety standards that were required as a part of the Child Care Development Block Grant of 2014. One of the biggest updates was the addition of standards that speak specifically to food allergies.

Did you know?

- One in 13 children in the United States has a food allergy. That's roughly two in every classroom.
- Every three minutes, a food allergy reaction sends someone to the emergency department. That's more than 200,000 emergency department visits a year.
- A reaction to food can range from a mild response, such as an itchy mouth, to **anaphylaxis**, a severe and potentially deadly reaction.
- The U.S. Centers for Disease Control has reported that food allergies result in more than 300,000 ambulatory-care visits a year among children younger than age 18. Food allergy is the leading cause of anaphylaxis outside the hospital setting.
- Once an anaphylactic reaction starts, a medication called **epinephrine** is the first line of defense to treat the reaction. You should immediately seek emergency medical attention by calling 911. You can protect yourself by learning the symptoms of allergic reactions and knowing what steps to take. (Source: "Facts and Statistics," www.foodallergy.org)

Licensing has introduced several standards that programs must comply with to ensure the safety of children that have *diagnosed* food allergies.

What is a food allergy?

A food allergy is a result of the body's immune system mistakenly targeting a harmless food protein (an allergen) as a threat and attacks it.

A food allergy differs from a food **intolerance**, such as lactose intolerance. A food intolerance usually does not involve the immune system and cannot trigger anaphylaxis. Interestingly, symptoms of a food intolerance can often look like a food allergy. Children with food intolerances should still avoid the identified foods but do not require the food allergy plan indicated below.

What is your responsibility with the new standards?

When you enroll a new child, collect information that includes whether a child has a diagnosed food allergy. Remember that the standards require a food allergy plan only for children with diagnosed food allergies.

§746.3817. What is a food allergy emergency plan?

A food allergy emergency plan is an individualized plan prepared by the child's health care professional that includes:

- (1) a list of each food the child is allergic to;
- (2) possible symptoms if exposed to a food on the list; and
- (3) the steps to take if the child has an allergic reaction.

§746.3819. When must I have a food allergy emergency plan for a child?

You must have a food allergy emergency plan for each child with a known food allergy that has been diagnosed by a health care professional. That professional and the child's parent must sign and date the plan. You must keep a copy of the plan in the child's file.

§746.401. What items must I post at my child care center at all times?

- (10) A list of each child's food allergies that require an emergency plan, as specified in §746.3819 of this title (relating to When must I have a food allergy emergency plan for a child?); and

§746.403. When and where must these items be posted?

- (b) For a list of each child's food allergies that require an emergency plan:
- (1) You must post the list during all hours of operation where you prepare food and in each room where the child may spend time;
 - (2) The posting must be in a place where employees may easily view the list, and if a parent requests it, you must maintain privacy for the child (for example, a clipboard hung on the wall with a cover sheet over the list); and
 - (3) You must ensure that all caregivers and employees who prepare and serve food are aware of each child's food allergies.

§746.605. What admission information must I obtain for each child?

- (16) A completed food allergy emergency plan for the child, if applicable.

§746.3001. May I take children away from my child care center for field trips?

- (5) Caregivers must have a copy of a child's food allergy emergency plan and allergy medications, if applicable;

§746.3301. What are the basic requirements for snack and meal times?

- (h) You must not serve a child a food identified on the child's food allergy emergency plan as specified in §746.3817 of this title (relating to What is a food allergy emergency plan?).

Common Questions

Does the new rule require a plan for children with other allergies, such as bee stings, ant bites, and exposure to dogs or cats? Minimum standards do not require a plan as specified in 746.3817 and 746.3819. Licensing recommends that you use a similar plan and posting, but our rules do not require you to have this specific information.

Can my center require parents to complete a Food Allergy Plan for children with a food intolerance as well as students with the food allergy? Your program may require the same documentation if you include this requirement in your operational policies. Licensing requires you to have the completed and signed document only for children with a diagnosed food allergy.

Do I have to use a specific form to document the food allergy plan? No, you may use any form as long as it captures all the requirements in 746.3817 and

746.3819.

FARE, the nonprofit Food Allergy Research & Education organization, offers a useful form in English and Spanish at its website, www.foodallergy.org. It provides all information needed quickly for an emergency. You can fill in the form on computer and add a picture of the child.

The FARE plan contains a quick reference for use of EpiPens®, emergency response steps, and places for the health care professional and parents to sign as required by minimum standards. The FARE plan can also be found in the technical assistance library of the Texas Department of Family and Protective Services at www.dfps.state.tx.us/Child_Care/Search_Texas_Child_Care/CCLNET/Source/TALibrary/TechnicalAssistance.aspx

The FARE website offers many resources for child care programs as well as for schools, health care providers, and parents. See the FARE website at <http://www.foodallergy.org/resources/child-care-facilities>

For additional questions about food allergy plans and the Texas minimum standards for child care, contact MSC@dfps.state.tx.us. ■