

State Regulations Pertaining to Dietary Assistive Devices and Special Needs

Note: This document is arranged alphabetically by State. To move easily from State to State, click the "Bookmark" tab on the Acrobat navigation column to the left of the PDF document. This will open a Table of Contents for the document. The relevant federal regulations are at the end of the PDF.

ALABAMA

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420-5-10-.12 Dietary Services.

...(7) Assistive devices. The facility must provide special eating equipment and utensils for residents who need them.

Author: Rick Harris

Statutory Authority: Code of Alabama, 1975, 22-21-20, et seq.

History: Original rules filed: July 19, 1996; effective August 23, 1996 Amended: April 20, 2005, effective May 25, 2005.

ALASKA

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Alaska regulations do not contain specific content for Dietary Assistive Devices and Special Needs.

ARIZONA

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R9-10-912. Food Services

...B. A registered dietitian or director of food services shall ensure that:

...7. A resident requiring assistance to eat is provided with assistance that recognizes the resident's nutritional, physical, and social needs, including the use of adaptive eating equipment or utensils; Historical Note: Adopted effective October 20, 1982 (Supp. 82-5). Section repealed, new Section adopted effective February 17, 1995 (Supp. 95-1). Section repealed; new Section made by final rulemaking at 9 A.A.R. 338, effective March 16, 2003 (Supp. 03-1)

ARKANSAS

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568 PREPARATION AND STORAGE OF FOOD

...568.13 Foods shall be cut, chopped, ground, or pureed to meet the individual needs of the patient.

CALIFORNIA

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California regulations do not contain specific content for Dietary Assistive Devices and Special Needs.

COLORADO

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Colorado regulations do not contain specific content for Dietary Assistive Devices and Special Needs.

CONNECTICUT

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19-13-D8t. Chronic and convalescent nursing homes and rest homes with nursing supervision

...(q) Dietary services.

...3. The facility shall ensure that the dietary service:

...G. Provides special equipment, implements or utensils to assist patients while eating, when necessary.

DELAWARE

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Delaware regulations do not contain specific content for Dietary Assistive Devices and Special Needs.

DISTRICT OF COLUMBIA

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3218 DIETARY SUPERVISION

...3218.2 Each resident who needs assistance to eat shall receive it promptly upon the serving of his or her meals.

3218.3 Special eating equipment and utensils shall be provided for each resident who needs them.

FLORIDA

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Florida regulations do not contain specific content for Dietary Assistive Devices and Special Needs.

GEORGIA

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Georgia regulations do not contain specific content for Dietary Assistive Devices and Special Needs.

HAWAII

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§11-94-11 Dietetic services.

...(4) Food service.

(A) Food shall be served in a form consistent with the needs of the patient and the patient's ability to consume it.

...(F) Individuals needing special equipment, implements, or utensils to assist them when eating shall have such items provided by the facility.

IDAHO

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107. DIETARY SERVICE.

07. Food Preparation and Service

...c. Foods shall be served in a form to meet individual patient's/resident's needs: (1-1-88)

i. Food shall be cut, ground, or pureed only for those who require it; (1-1-88)

ii. Special attention shall be given to the food given patients/residents without dentures, with poor dentures, or with poor teeth because of the difficulty these patients/residents have with mastication. (1-1-88)

ILLINOIS

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Illinois regulations do not contain specific content for Dietary Assistive Devices and Special Needs

INDIANA

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IAC 16.2-3.1-21 Food

Authority: IC 16-28-1-7; IC 16-28-1-12

Affected: IC 16-28-5-1

Sec. 21

...(h) The facility must provide special eating equipment and utensils for residents who need them.

IOWA

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58.24(5) Food preparation and service

...c. Foods shall be cut up, chopped, ground or blended to meet individual needs. (II, III)

d. Self-help devices shall be provided as needed. (II, III)

KANSAS

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28-39-158. Dietary services

...(f) Assistive devices. Each facility shall provide, based on the comprehensive assessment, special eating equipment and utensils for residents who need them.

KENTUCKY

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Section 10 [nursing facilities]

...(7) Assistive devices. The facility shall provide special eating equipment and utensils for residents who need them.

LOUISIANA

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§9821. Equipment and Supplies

A. Special eating equipment and utensils shall be provided for residents who need them

§9819. Menus and Nutritional Adequacy

...H. If residents require assistance in eating, food shall be maintained at appropriate serving temperatures until assistance is provided. Feeder trays shall be delivered at the time staff is immediately available for feeding.

MAINE

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18.K.Food Service

18. K.10. Residents needing special equipment, implements, or utensils to assist them with eating, shall have such items provided.

MARYLAND

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Maryland regulations do not contain specific content for Dietary Assistive Devices and Special Needs.

MASSACHUSETTS

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150.007: Nursing Services

...(F) Dietary Supervision

...(2) Patients requiring assistance in eating shall receive adequate assistance. Help shall be assigned promptly upon receipt of meals, and adaptive self-help devices shall be provided when necessary.

MICHIGAN

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Michigan regulations do not contain specific content for Dietary Assistive Devices and Special Needs.

MINNESOTA

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4658.0530 ASSISTANCE WITH EATING.

Subpart 1. Nursing personnel. Nursing personnel must determine that residents are served diets as prescribed. Residents needing help in eating must be promptly assisted upon receipt of the meals and the assistance must be unhurried and in a manner that maintains or enhances each resident's dignity and respect. Adaptive self-help devices must be provided to contribute to the resident's independence in eating.

MISSISSIPPI

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Mississippi regulations do not contain specific content for Dietary Assistive Devices and Special Needs.

MISSOURI

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Missouri regulations do not contain specific content for Dietary Assistive Devices and Special Needs.

MONTANA

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Montana regulations do not contain specific content for Dietary Assistive Devices and Special Needs.

NEBRASKA

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12-006.09D8 Nutrition: The facility must identify and implement standards of care and treatment to maintain nutritional status of each resident. This includes:

...12-006.09D8c Assistive Devices: The facility must provide special eating equipment and utensils for residents who need them.

NEVADA

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NAC 449.74525 Dietary services. ([NRS 449.037](#))

...7. A facility shall provide special eating equipment and utensils to each patient who requires them.

NEW HAMPSHIRE

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He-P 803.20 Food Services.

(a) The licensee shall provide food services that:

...(5) Include facilities and equipment for meal delivery and assisted feeding, as applicable.

NEW JERSEY

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8:39-17.3 Mandatory staffing amounts and availability for dietary services

... (c) For each meal, the facility shall assign staff to help residents who require assistance with eating.

8:39-17.4 Mandatory resident dietary services

...(d) No resident shall have to wait for assistance in eating for more than 15 minutes following delivery of a tray to the resident.

8:39-46.5 Advisory nutrition [Alzheimer's/dementia program]

(a) The Alzheimer's/dementia program provides nutritional intervention as needed, based upon assessment of the eating behaviors and abilities of each resident. Interventions may include, but are not limited to, the following:

1. Verbal and non-verbal eating cues;
2. Modified cups, spoons, or other assistive devices; and
3. Simplified choices of foods or utensils.

NEW MEXICO

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7.9.2.42 INDIVIDUAL CARE:

...(2) Adaptive devices: Adaptive self-help devices shall be available to residents assessed as capable of using such devices and these residents shall be trained in their use to contribute to independence in eating.

(3) Assistance: Residents who require assistance with food or fluid intake shall be helped as necessary.

NEW YORK

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Section 415.14 - Dietary services

...(g) Assistive devices. The facility shall provide assistance with eating and special eating equipment and utensils for residents who need them.

NORTH CAROLINA

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10A NCAC 13D .2701 PROVISION OF NUTRITION AND DIETETIC SERVICES

... (i) If patients require assistance in eating, food shall be maintained at the appropriate temperature until assistance is provided.

NORTH DAKOTA

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North Dakota regulations do not contain specific content for Dietary Assistive Devices and Special Needs.

OHIO

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Ohio regulations do not contain specific content for Dietary Assistive Devices and Special Needs.

OKLAHOMA

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Oklahoma regulations do not contain specific content for Dietary Assistive Devices and Special Needs.

OREGON

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5) FOOD PREPARATION AND SERVICE.

411-086-0250 Dietary Services

...b) Foods shall be attractively served in a form cut, chopped, ground, or pureed to meet individual needs and delivered to residents at customarily acceptable temperatures.

c) Residents requiring assistance with feeding shall receive timely assistance while food is at customarily acceptable temperatures.

PENNSYLVANIA

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Pennsylvania regulations do not contain specific content for Dietary Assistive Devices and Special Needs

RHODE ISLAND

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Section 27.0 Dietetic Services

25.15 Self-help feeding devices shall be available to those residents who need them to maintain maximum independence in the activities of daily living.

SOUTH CAROLINA

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1404. Meals and Services (II)

...E. Food shall be cut, chopped, ground or blended to meet individual needs.

SOUTH DAKOTA

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44:04:07:12. Dining arrangements.

The facility must provide environmental and social accommodations for each patient or resident to encourage eating in the common dining area. Assistance must be provided for patients or residents in need of help in eating.

TENNESSEE

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Tennessee regulations do not contain specific content for Dietary Assistive Devices and Special Needs

TEXAS

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RULE §19.1107 Menus and Nutritional Adequacy

...g) Accommodation of resident needs. The facility must provide:

...4) Special eating equipment and utensils for residents who need them; and

5) Prompt assistance for residents who need help eating.

UTAH

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R432-150-24. Food Services

...7) The facility must provide special eating equipment and assistive devices for residents who need them.

VERMONT

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7.14 Dietary Services

...(f) Assistive devices. The facility must provide special eating equipment and utensils for residents who need them.

VIRGINIA

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WASHINGTON

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388-97-1140 Individual dietary needs.

The nursing home must:

...2) Provide effective adaptive utensils as needed to promote independence;

...4) Provide individualized assistance as needed.

74.42.290 Meal intervals — Food handling — Utensils — Disposal.

... (4) Special eating equipment and utensils shall be provided for residents who need them.

WEST VIRGINIA

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§64-13-8. Quality of Care.

8.2.b.1. Assistive devices. The nursing home shall provide special eating equipment and utensils for residents who need them.

8.2.b.2. The nursing home shall evaluate residents having potential to benefit from the assistive devices to assure that the assistive devices meet the residents' needs...

WISCONSIN

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HFS 132.63 Dietary service.

(6) FOOD SUPPLIES AND PREPARATION.

(b) Preparation. Food shall be cut, chopped, or ground as needed for individual residents.

WYOMING

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Wyoming regulations do not contain specific content for Dietary Assistive Devices and Special Needs.

FEDERAL REQUIREMENTS

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§ 483.35 Dietary services.

(g) Assistive devices. The facility must provide special eating equipment and utensils for residents who need them.