



NEW MEXICO POLICIES & PROCEDURES

SECTION CONTENTS

NUTRITION SERVICES INCENTIVE PROGRAM (NSIP)

THE DOCUMENT CONTAINED HEREIN IS SUBJECT TO CHANGE.

VERSION: 8.2025

NEW MEXICO FISCAL STATE UNIT ON AGING (SUA)
NUTRITION SERVICES INCENTIVE PROGRAM (NSIP) POLICIES AND PROCEDURES
Updated for (45 C.F.R. §1321.87 (a)(2))

001-004

PURPOSE

- A. The purpose of this policy is to establish the Aging and Long-Term Services Department's (ALTSD) Nutrition Services Policies and Procedures (Required for SUA, AAAs, and Providers) by 45 C.F.R. §1321.87 and 45 C.F.R. §1321.91.
- B. If any provision of this policy conflicts with a provision of an applicable Collective Bargaining Agreement (CBA), the CBA shall control.

- 1 DEFINITIONS** The definitions can be found in the Acronyms Definitions Units of Service UCIT [RESOURCE.Acronyms.Definitions.UnitsofService.UCIT .WEBSITE.pdf](#)

2 POLICY

The Nutrition Services Incentive Program (NSIP), established under the Older Americans Act (OAA), administers grant allocation to states, territories, and eligible tribal organizations. These funds serve as an incentive mechanism to enhance participation in the OAA's congregate and home-delivered nutrition programs. ALTSD shall distribute NSIP funds to the AAA based on an ALTSD distribution formula. The statutory authority for NSIP derives from Sections 311 and 339 of the OAA (42 U.S.C. sections 3030a and 3030g-21) and 45 C.F.R. §1321.87(a)(2).

3 PROCEDURE

The SUA shall mandate through their contracting process with the AAAs that:

SUA Responsibilities:

- Require all NSIP funds are used exclusively to purchase:
 - Food grown and produced in the U.S.
 - Meals served to eligible Title III participants
- Monitor AAA subcontractors' food procurement policies for compliance with Sections 311 and 339 of the OAA (42 U.S.C. sections 3030a and 3030g-21) and 45 C.F.R. §1321.87(a)(2) through quarterly post food expenditure invoice audits.

AAA Responsibilities:

- Ensure all NSIP funds are used exclusively to purchase:
 - Food grown and produced in the U.S.
 - Meals served to eligible Title III participants
- Require AAA Contracted Entities to document use of NSIP funds and maintain procurement records showing domestic sourcing.

AAA Contracted Entities Responsibilities:

- Use NSIP funds only for allowable food purchases.
- Track and report eligible meals and expenditures.

A reliable reporting system (ALTSD approved database system) must be in place to assure accurate recording of Nutrition Services Incentive Program (NSIP) eligible meals.

To be eligible for NSIP reimbursement, a meal must meet all of the following criteria, as per the citations above.

- a. The meal or meals must meet federal OAA nutrition requirements. Including that that the meal meets the Dietary Guidelines for Americans and Dietary Reference Intakes consistent with OAA Sections 311 and 339 (42 U.S.C. sections 3030a and 3030g-21);
- b. The meal or meals will be available under Title III of the OAA to individuals age 60 and over and their spouses, regardless of age, and may be made available to other eligible participants under the age of 60 which include (a) disabled individuals who reside in housing facilities occupied primarily by older individuals at which congregate nutrition service are provided; (b) individuals with disabilities who reside at home with and accompany older eligible individuals; and (c) individuals providing volunteer services during the meal hours;
- c. The meal or meals will be available under Title VI of the OAA to older Indians who have attained the minimum age determined by the tribe for services or older Hawaiians, age 50 and over, and may be available to other under age 60 eligible participants as defined under Title III of the OAA;
- d. The meal or meals must be served by a contracted entity which has a contract with a AAA;
- e. The meal is served to an individual who has an opportunity to voluntarily contribute toward the cost of the meal;
- f. The meal is provided to the participant without a mandatory fee or on a means-tested basis. Although this may be a means for local organizations to subsidize the program, NSIP reimbursement cannot be authorized for meals with a set fee. Contributions may be collected but only on an understood voluntary basis; and
- g. The earned NSIP reimbursement is guaranteed not to be used to supplant funds previously earmarked for services for older persons (i.e., replace funds that were awarded through grants/contracts for specific purposes).

4 **MONITORING PROCEDURE**

- a. The monitoring procedure is detailed throughout the “New Mexico Nutrition Guide.”
- b. The number and type of meals served are recorded in the State database with demographic details about the consumer.
- c. This data is validated and compiled for submission annually by January 31, in the Older Americans Act Performance System (OAAPS).

5 **GUIDES**

1. The “New Mexico Nutrition Guide”
2. The “Database Business Operations Guide”

6 **REFERENCES AND LINKS**

Authority: 45 C.F.R. section 1321.9(c)(2), 45 C.F.R. section 1321.49, and the Fair Labor Standards Act 29 U.S.C. section 201 et seq.

Links: [SUA_NutritionEdMonitorTemplate_Final.docx](#)

Links: <https://www.aging.nm.gov/wp-content/uploads/2025/10/RESOURCE.Nutrition-Handbook-WEBSITE.pdf>

Links: [RESOURCE.DATABASE-BUSINESS-OPERATIONS-GUIDE.-WEBSITE.pdf](#)

Revision History

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