October 2026
Replaces: December 2025

Nutrition Risk Priorities

Policy

USDA Federal Regulations:

State plan requirements

246.7(e)(3) Nutritional risk priorities. In determining nutritional risk, the State agency shall develop and include in its State Plan, specific risk conditions by priority level with indices for identifying these conditions. The criteria shall be used statewide and in accordance with the priority system as set forth in paragraph (e)(4) of this section.

Nutrition risk priority system

246.7(e)(4) Nutritional risk priority system. The competent professional authority shall fill vacancies which occur after a local agency has reached its maximum participation level by applying the following participant priority system to persons on the local agency's waiting list. Priorities I through VI shall be utilized in all States. The State agency may set income or other sub-priority levels within any of these priority levels. The State agency may expand Priority III, IV, or V to include high-risk postpartum women.

(i) Priority I. Pregnant women, breastfeeding women and infants at nutritional risk as demonstrated by hematological or anthropometric measurements, or other documented nutritionally related medical conditions which demonstrate the need for supplemental foods.

(ii) Priority II. Except those infants who qualify for Priority I, infant up to six months of age of Program participants who participated during pregnancy, and infants up to six months of age born of women who were not Program participants during pregnancy but whose medical records document that they were at nutritional risk during pregnancy due to nutritional conditions detectable by biochemical or anthropometric measurements or other documented nutritionally related medical conditions which demonstrated the person's need for supplemental foods.

(iii) Priority III. Children at nutritional risk as demonstrated by hematological or anthropometric measurements or other documented medical conditions which demonstrate the child's need for supplemental foods.

(iv) Priority IV. Pregnant women, breastfeeding women, and infants at nutritional risk because of an inadequate dietary pattern.

(v) Priority V. Children at nutritional risk because of an inadequate dietary pattern.

(vi) Priority VI. Postpartum women at nutritional risk.

Breastfeeding dyads and nutrition risk prioritization

246.7(e)(1)(iii) *Breastfeeding dyads.* A breastfeeding woman may be determined to be a nutritional risk if her breastfed infant has been determined to be a nutritional risk. A breastfed infant can be certified based on the mother's medical and/or nutritional assessment. A breastfeeding mother and her infant shall be placed in the highest priority level for which either is qualified.

Authority

7 CFR Part 246.7(e)(3)
7 CFR Part 246.7(e)(4)*excerpt*
7 CFR Part 246.7(e)(4)(i-vi)
7 CFR part 246.7(e)(1)(iii)

Procedures

How priorities are determined

The type of nutrition risk determines a participant's priority class.

- Participants with medical nutrition risks are considered to be more at risk so are assigned to higher priority classes (I, II, and III).
- Participants with dietary risks are considered to be at lower risk so are assigned to lower priority classes (IV, V, and VI).

Updating nutrition risk to support priority eligibility

In times of limited or restricted funding, participants may be placed on a waiting list. That is why it is important to assign new risks that come to light during nutrition education and health update appointments and to assure any risks that are used to certify a participant stay assigned each time the nutrition risk panel is updated.

This assures participants have the highest priority level they can based upon the assessment process.