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### What is a Serious Deficiency?

- Serious program violation or issues of noncompliance with food program requirements that is determined from the findings of the monitoring report.
- The affected sites are issued a Notice of Serious Deficiency and are given a specific time period to correct the deficiencies.

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### Notices

- The Notice of Serious Deficiency and Monitoring Report will include a corrective action plan that identifies the measures to be taken and the timetable for the completion of the measures.
- All seriously deficient institutions are required to complete, sign and return the corrective action plan and any required revised claims to the TDHS.

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### A Response is Required!



- When you receive a letter from TDHS you are required to respond timely, in order to keep your funding.
- The letter will identify the timeframe that a response is required by. Please meet the timeframe in the letter from TDHS.
- You will be required to return an acceptable Corrective Action Plan and any overpayments that TDHS identifies.

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### Serious Deficiencies include:



- Failure to maintain adequate site or sponsor records.
- Failure to adjust meal orders to conform to changes in site attendance.
- Failure to have a trained site supervisor at each site during the meal service.
- Serving more than one meal to a child at one time.
- Children eating complete meals off-site (Note: This does not refer to the permissible practice of allowing children to take a piece of fruit or vegetable off-site.)

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### Serious Deficiencies Cont.



- Claiming meals that were not served to eligible children.
- Serving meals (or in the case of OVS sites, offering meals) that do not include all required meal components and/or correct quantities.
- Failure to report sites to health department.
- Continued use of food service management companies/commercial meal vendor that violate health codes.

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**Serious Deficiencies Cont.** 

- Submission of false information to the State agency (TDHS).
- Use of program funds for unallowable costs.
- Failure to return excess start-up or advance payments to the State agency.
- Not adhering to competitive bid procedures.
- Noncompliance with civil rights laws and regulations

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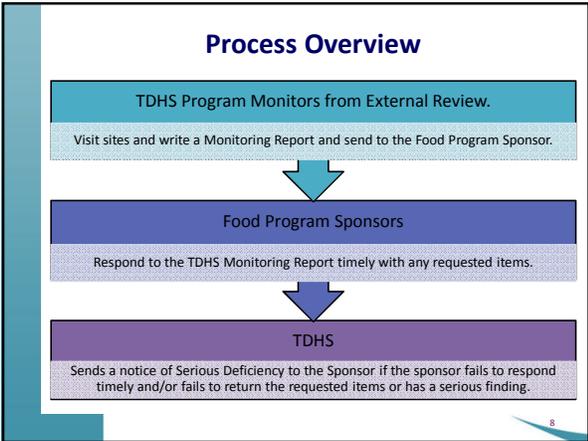
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**What Are Corrective Action Plans (CAP)?** 

- A response to the serious deficiency notice or monitoring report that is provided by an institution.
- The CAP must be submit in writing and detail what corrective action it has taken.
- This correspondence details the internal controls implemented to ensure that the serious deficiencies are fully and permanently corrected.

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**Acceptable Corrective Action Plans Include...** 

- Names of the institution’s executive director and chairman of the board of directors or other RP/Is associated with the serious deficiencies;
- Address of the institution;
- Dates of birth for all RP/Is associated with the serious deficiencies; and
- Details of the serious deficiencies: What, Who, When, Where, and How.

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**Corrective Action Plans What?** 

**WHAT:**

- What are the serious deficiencies and the procedures that were implemented to address the serious deficiencies?

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**Corrective Action Plans What?** 

**Example:**

- "Incomplete Enrollment Records."

**\*Note- This part of the information will be included on your CAP template that TDHS mails to you at the end of the Monitoring Report.**

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**Corrective Action Plans  
Who?**



**WHO:**

- Who addressed the serious deficiencies? List personnel responsible for this task.

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**Corrective Action Plans  
Who?**



**Example:**

- Ms. Franklin is responsible for ensuring that all required records are in the child's folder within three weeks of the child's enrollment in the center.
- Center Director Carl Jones will review the records of newly enrolled children monthly to ensure that all enrollment records are complete and current.

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**Corrective Action Plans  
When?**



**WHEN:**

- When was the procedure for addressing the serious deficiencies implemented?
- Provide a timeline for implementing the procedure (i.e., will the procedure be done daily, weekly, monthly, or annually, and when did implementation of the plan begin)?

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### Corrective Action Plans When?



**Example:**

- Carl Jones will review the records of newly enrolled children monthly to ensure that all enrollment records are complete and current.
- Carl Jones trained Ms. Franklin on this new procedure on May 16, 2013.
- Additionally, on May 16, 2013, this procedure was added to the ABCDEF Daycare Center Administrative Procedures Manual.

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### Corrective Action Plan Where?



**WHERE:**

- Where is the CAP documentation retained?

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### Corrective Action Plans Where?



**Example:**

- Diane Smith, Owner and Carl Jones, Center Director will keep a copy in their offices of the Corrective Action Plan, the updated ABC-DEF Daycare Center Administrative Procedures Manual, The ABC-DEF Daycare Center's Board of Director minutes from the June 1, 2013 meeting approving the procedures and updates, and the training agenda held on May 16, 2013.

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**Corrective Action Plan  
How?**

**HOW:**

- How were staff and if applicable, facilities or providers informed of the new policies and procedures (e.g., handbooks, training, website, emails, etc.,)

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**Corrective Action Plans  
How?**

**Example:**

- The training agenda held on May 16, 2013 between Mr. Jones and Ms. Franklin;
- The updated ABC-DEF Daycare Center Administrative Procedures Manual containing the revised procedures for enrollment records and household applications; and
- The ABC-DEF Daycare Center's Board of Director minutes from the June 1, 2013 meeting approving the procedures and updates to the ABC-DEF Daycare Center Administrative Procedures Manual.

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**Acceptable CAP Summary**



**An acceptable CAP has enough detail explaining:**

- what will be done,
- how it will be done,
- when it will be done, and
- by whom it will be done.

**This allows the TDHS to make an assessment regarding its effectiveness in fully and permanently correcting the serious deficiencies.**

- The CAP also describes where the changes will be housed.

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### How to Send in Overpayment Money



- Please mail back the requested money.
- The Overpayment Amount will be determined and requested by a certain timeframe identified in the correspondence that you receive from TDHS to close out your Monitoring Report.

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### Late Payment/No Payment



- If the requested payment is late, then interest will accrue at 1% per month.
- If the requested payment is not paid in 90 days, your information will go to the General Counsel for collection and you will not be able to participate in any CACFP or SFSP Programs.

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### Summary



- Please respond timely to notices from TDHS within the timeline identified in the letter to keep your food program funding.
- Make sure that your CAP has all the required components: What, Who, When, Where, How
- Make sure to mail in your Overpayment money timely to TDHS.

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**Contact Regarding CAPs or SDs**

**TDHS Nutrition Programs**

- Contact Number: 615-313-4749

**Brian Anthis, DHS Program Coordinator, CACFP & SFSP**

- Brian.Anthis@tn.gov
- 615-532-4390

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