

NOTICE OF SERIOUS DEFICIENCY NOTICE

Dear _____ :

This letter concerns the

of your operation of the Child and Adult Care Food Program (CACFP).

SERIOUS DEFICIENCY DETERMINATION

Based on the _____, _____ has determined that you are seriously deficient in your operation of the CACFP. If you do not fully and permanently correct all of the serious deficiencies and submit documentation of the corrective action by _____, we will propose to:

- Terminate your agreement to participate in the CACFP for cause.

AND

- Disqualify you from future CACFP participation.

If you voluntarily terminate your agreement after receiving this letter, we will propose to disqualify you from future CACFP participation. If disqualified, _____ will be placed on the National Disqualified List (NDL). While on the NDL, you will not be able to participate in the CACFP as a day care home provider. In addition, you will not be able to serve as a principal in any CACFP institution or facility.

You will remain on the NDL until USDA's Food and Nutrition Service (FNS), in consultation with the Oklahoma State Department of Education (the State Agency), determines that the serious deficiencies have been corrected or until seven years after your disqualification. However, if any debt relating to the serious deficiencies has not been repaid, you will remain on the list until the debt has been repaid.

These actions are being taken pursuant to 7 CFR 226.16(l).

SERIOUS DEFICIENCIES AND REQUIRED CORRECTIVE ACTION

The following paragraphs detail each serious deficiency and the corrective action required. The corrective action to be completed by you, that fully and permanently corrects the deficiencies, must be implemented by . Each serious deficiency must be addressed individually answering the following questions and using the form enclosed with this letter.

- **WHAT** are the serious deficiency(ies) AND the procedures that will be implemented to address the serious deficiency(ies)?
- **WHO** will address the serious deficiency(ies)? List the personnel responsible for this task.
- **WHEN** will the procedure for addressing the serious deficiency be implemented? Provide a timeline for implementing the procedure (i.e., will the procedure be done daily, weekly, monthly, or annually, and when will it begin?)?
- **WHERE** will the CAP documentation be retained? They must state the actual location at the center where this documentation will be maintained.
- **HOW** will the staff and facilities or providers be informed of the new policies and procedures (e.g., Handbook, training, website, etc.

Below are the seriously deficiencies that must be addressed individually.

SUMMARY

We have determined that you are seriously deficient in your operation of the CACFP. Documentation showing the corrective action for each of the serious deficiencies cited in this letter is required. The documentation must be RECEIVED (not just postmarked) by _____ .

If we do not RECEIVE the documentation of your corrective action by _____ , or if we determine that the actions taken do not fully and permanently correct all of the serious deficiencies, we will propose to terminate your CACFP agreement for cause and disqualify you.

You may not appeal the serious deficiency determination. However, if we propose to terminate your agreement for cause and disqualify you, you will be able to appeal those actions and you will be advised the appeal procedures at that time.

You may continue to participate in the CACFP during the corrective action period. We will pay any valid claims for reimbursement submitted by you for this period. You must submit the claims by the normal deadline.

If we receive the documentation of your corrective action by the due date and determine that it fully and permanently corrects all of the serious deficiencies, we will temporarily defer the serious deficiency determination. We may conduct an unannounced follow-up review to verify the adequacy of the corrective action. If we find in the follow-up review, or any subsequent review, that the serious deficiency(ies) has/have not been fully and permanently corrected, we will immediately propose to terminate your agreement for cause and disqualify you without any further opportunity for corrective action.

Sincerely,

cc: State Agency