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|  | MISSOURI DEPARTMENT OF HEALTH<br>AND SENIOR SERVICES<br>CHILD AND ADULT CARE FOOD PROGRAM |  |  | ISSUED  | REVISED | CHAPTER | SECTION |
|   | CHILD CARE HOMES<br>POLICY & PROCEDURE MANUAL   |  |  | 6/2012  | 6/12    | 7       | 7.11    |
| CHAPTER<br>Chapter 7. The Monitoring Visit  |   |  |  | SUBJECT<br>Early Removal from the National<br>Disqualified List |         |         |         |

Federal regulations at 226.6(c)(7)(v) state, “once included on the National disqualified list, an institution and responsible principals and responsible individuals remain on the list until such time as FNS, in consultation with the State agency, determines that the serious deficiency(ies) that led to their placement on the list has(ve) been corrected, or until seven years have elapsed since they were disqualified from participation. However, if the institution, principal, or individual has failed to repay debt owed under the Program, they will remain on the list until the debt has been repaid.” This policy outlines procedures for requesting removal from the National disqualified list (NDL) prior to seven years.

An organization or individual may request removal from the NDL any time after being disqualified. The request for removal from the NDL must be received by the Bureau of Community Food and Nutrition Assistance (BCFNA) in the Missouri Department of Health and Senior Services in writing. The written request must specify the full name and location address of the institution (if applicable) and the name, mailing address, and date of birth of the responsible principal (the Family Day Care Home Provider). Failure to provide the full and correct information will result in immediate denial of the request.

Once the request is received, BCFNA will review the request for completion. If the request is complete, BCFNA will notify the Family Day Care Home Provider that a corrective action plan (CAP) must be submitted. The CAP is based on the findings that lead to the termination and disqualification of the Family Day Care Home Provider. The CAP must specify, in full detail, the serious finding(s) leading to termination, the steps that have or will be taken to correct the serious findings, the person(s) responsible for overseeing the corrective action, and the date by which corrective action is to be fully and permanently implemented for each step of the process.

Once received, the CAP will be reviewed for adequacy by BCFNA. If the corrective action is deemed to be inadequate, the Family Day Care Home Provider will be denied removal from the NDL.

If the CAP is deemed adequate, BCFNA staff will contact the Sponsoring Organization (SO) that terminated the Family Day Care Home Provider and request that the SO make an unannounced visit to the institution or facility within 30 days to assure that all Program records are available and fully and accurately completed. A meal service will be observed during this visit as well. Special attention will be given to the findings that lead to the termination and disqualification of the Family Day Care Home Provider; however, it is the expectation of BCFNA that the Family Day Care Home Provider will be in full compliance with all Program requirements at the time of the first unannounced visit. If at any time during the visit it is determined that the Family Day Care Home Provider has not taken adequate corrective action, or has been determined to have problems in any other area of required recordkeeping or meal service, the SO will contact BCFNA with these findings. BCFNA will deny the institution’s removal from the NDL. At this point in time, the decision to deny removal from the NDL will be BCFNA’s final decision. There will be no opportunity for appeal, nor will the Family Day Care Home Provider have another opportunity to submit a corrective action plan. If removal from the NDL is denied at this stage of the process, the Family Day Care Home Provider will remain on the NDL for the full seven years required by federal regulation or until all debt owing to the Program is paid, whichever date is latest.

If the first unannounced visit is successful, and the Family Day Care Home Provider has taken all required corrective action to correct problems and to maintain an accountable system of records, then the SO will conduct two additional unannounced visits over the course of the next 6 months. These visits will be conducted in the same manner as the initial visit, and will provide assurance to BCFNA that the Family Day Care Home Provider has adequate systems in place to quickly and appropriately address and correct current and future problems. If the Family Day Care Home Provider successfully completes each additional unannounced visit, then the SO will inform BCFNA of the successful monitoring visits and inform BCFNA that the Family Day Care Home Provider is recommended for removal from the NDL. BCFNA will contact the U. S. Department of Agriculture Mountain Plains Regional Office (USDA-MRPO) in Denver with BCFNA's recommendation for removal from the NDL. The final decision is with USDA-MPRO. If USDA-MPRO, in consultation with USDA Headquarters in Washington, D.C., agrees to remove the Family Day Care Home Provider's name from the NDL, BCFNA will notify the Family Day Care Home Provider in writing.

Once removed from the NDL, the Family Day Care Home Provider may reapply to the Child and Adult Care Food Program (CACFP). The FDCH Provider must reapply with the SO that assisted in the removal from the NDL and must stay with this SO for the first six months after removal from the NDL to ensure that serious deficiencies have been fully and permanently corrected.

It is important to note that the process to be removed from the NDL can be stopped at any time during the review of the CAP or during the on-site visits if the SO and BCFNA determine that the Family Day Care Home Provider has not taken full and permanent actions to correct problems. If this occurs, removal from the NDL will be denied, and the Family Day Care Home Provider will remain on the NDL for the full seven years or until all debts owing to the Program have been repaid, whichever date is latest.