

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM EMERGENCY/HOMELESS SHELTERS POLICY & PROCEDURE MANUAL			ISSUED	REVISED	CHAPTER	SECTION
				1/08	4/09	9	9.11
CHAPTER Chapter 9. The Monitoring Visit				SUBJECT Suspension of Participation			

If a state or local health official cites a shelter for serious health or safety violations, MDHSS-BCFNA will take immediate action to suspend the shelter’s participation in the CACFP, and will initiate action to terminate the shelter’s contract to participate in the CACFP and to disqualify the shelter, the responsible principals, and the responsible individuals. MDHSS-BCFNA will initiate this action even before any formal action is taken by the state or local health or safety official to revoke the shelter’s approval. In addition, if MDHSS-BCFNA determines that there is an imminent threat to the health or safety of shelter participants, or that the shelter has engaged in activities that threaten the public health or safety, MDHSS-BCFNA will notify the appropriate state or local health authority and take action consistent with the recommendations and requirements of those authorities.

The MDHSS-BCFNA will notify the shelter’s executive director, chairman of the board, the responsible principals and responsible individuals that the shelter’s participation in the CACFP has been suspended, that the shelter has been determined to be seriously deficient, and that MDHSS-BCFNA is proposing to terminate the contract and disqualify the responsible principals and responsible individuals. The notice of suspension and proposed termination will include the basis for the serious deficiencies, an explanation that, if the shelter voluntarily terminates its contract after having been notified of the suspension and proposed termination, the shelter and the responsible principals and responsible individuals will be disqualified, that the serious deficiency determination is not subject to administrative review, and the procedures for seeking an administrative review. In addition, during the suspension, all payments to the shelter will be stopped. If the administrative review official overturns the suspension, the shelter may claim reimbursement for eligible meals served during the suspension period.

When the time for administrative review expires, or when the hearing official upholds MDHSS-BCFNA’s proposed termination and disqualification, MDHSS-BCFNA will notify the shelter/sponsor executive director, chairman of the board, responsible principals and responsible individuals that the contract has been terminated and that the shelter/sponsor, responsible principals and responsible individuals have been disqualified.

Suspension Review: A shelter or sponsor may request a written review of MDHSS-BCFNA’s proposed suspension. The designated hearing official will review the proposed suspension. If the hearing official determines that the suspension is not appropriate, MDHSS-BCFNA will be prohibited from suspending the shelter/sponsor. If the hearing official determines that the suspension actions taken by MDHSS-BCFNA are appropriate, the shelter or sponsor will be suspended from participation in the CACFP beginning on the date the hearing official makes the decision. The MDHSS-BCFNA will notify the shelter/sponsor’s executive director, chairman of the board, responsible principals, and responsible individuals that the shelter’s/sponsor’s participation has been suspended, including program payments, the effective date of the suspension, the procedures for seeking an administrative review, and an explanation that, if the hearing official overturns the suspension, the shelter/sponsor may claim reimbursement for the eligible meals served and the allowable administrative costs incurred during the suspension period.

The suspension of participation may remain in effect no longer than 120 days following the suspension review decision.