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Arkansas Department of Human Services	AR CACFP 2013-27
Division of Child Care and Early Childhood Education	Section: All Institutions
Child and Adult Care Food Program	Subject: Suspension of Facility for Health and Safety Violation
	Effective date: 04/16/2013

SUSPENSION OF FACILITY FOR HEALTH AND SAFETY VIOLATION

If the State agency, Sponsoring Organization, local health authorities, or licensing officials have cited a facility for serious health or safety violations, the Sponsoring Organization must immediately suspend the facility's program participation, initiate action to terminate the facility's agreement to operate the CACFP, and initiate action to disqualify the facility and the responsible individuals.

The Sponsoring Organization must provide a letter of Notice of Action of Serious Deficiency/Suspension to the facility owner stating that the Sponsoring Organization intends to suspend the facility's participation in the CACFP (including all CACFP program payments), that the facility has been determined to be seriously deficient in its operation of the CACFP, and that the Sponsoring Organization proposes to terminate the facility's agreement and to disqualify the facility and the responsible individuals from participation in the CACFP. The Notice of Action of Serious Deficiency/Suspension letter must also specify:

- 1) That the Sponsoring Organization is suspending the facility's participation (including program payments), proposing to terminate the facility's agreement to operate the CACFP, and proposing to disqualify the facility and the responsible individuals;
- 2) The serious deficiency(ies);
- 3) That, if the facility voluntarily terminates its agreement with the Sponsoring Organization after having been notified of the proposed termination, the facility and the responsible principals and responsible individuals will be disqualified;
- 4) That the serious deficiency is not subject to administrative review;
- 5) The procedures for seeking an administrative review of the suspension, proposed termination, and proposed disqualifications; and,
- 6) That, if the administrative review official overturns the suspension, the facility may claim reimbursement for eligible meals served and allowable administrative costs incurred during the suspension period.

The Sponsoring Organization is prohibited from paying any claims for reimbursement from a suspended institution. However, if the suspended institution prevails in the administrative review of the proposed termination, the Sponsoring Organization must pay any claims for reimbursement for eligible meals served and allowable administrative costs incurred during the suspension period.

The Sponsoring Organization informs the State agency immediately and copy all letters and all steps taken by the Sponsoring Organization through the process of suspension for health and safety violation.