



**STATE OF TENNESSEE  
DEPARTMENT OF HUMAN SERVICES**

CITIZENS PLAZA BUILDING  
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NASHVILLE, TENNESSEE 37243-1403

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**BILL HASLAM**  
GOVERNOR

**DANIELLE W. BARNES**  
COMMISSIONER

April 16, 2018

James Skefos, Owner  
Alpha Visions Learning Center  
4379 Stage Road  
Memphis, Tennessee 38128-5708

Dear Mr. Skefos:

The Department of Human Services Audit Services staff conducted an unannounced on-site review of the Child and Adult Care Food Program (CACFP) at Alpha Vision Learning Center, Application Agreement 00-142 on March 9, 2018. We reviewed the Sponsor's records of reimbursement and expenditures for the period of January 2018. The purpose of this review was to determine if the Sponsor complied with *Title 7 of the Code Regulations* (CFR) applicable parts, application agreement, and applicable Federal and State regulations.

**Background**

CACFP Sponsors utilize meal count sheets to record the number of breakfast, lunch, supper and supplement meals served. Meals served by participating Sponsors must meet the minimum guidelines set by the United States Department of Agriculture (USDA) and DHS to be eligible for reimbursement. The CACFP Sponsor reports the number of meals served through the DHS Tennessee Information Payment System (TIPS) to seek reimbursement. We inspected meal count sheets for our test period and reconciled the meals claimed to the meals reported as served for each meal service. We also assessed compliance with civil rights requirements. In addition, we observed a meal service on January 30, 2018.

Our review of the Sponsor's records for January 2018 disclosed the following:

- 1. The number of participants reported in the reduced-price and paid categories was incorrect**

**Condition**

The claim for reimbursement for the test month reported 70 participants in the free category, six participants in the reduced-price category and eight participants in the paid category. However, our review of the Sponsor's records verified there were 70 participants in the free category, five participants in the reduced-price category and six participants in the paid category. The differences were based on the following:

- There was one participant reported in the paid category, but according to the application on file, the participant should have been reported in the free category. This participant was reclassified to the free category.
- There was one participant reported in the reduced-price category, but according to the application on file, the participant should have been reported in the free category. This participant was reclassified to the free category.
- The free category was over reported by two participants and the paid category was over reported by one participant.

#### Criteria

*Title 7 of the Code of Federal Regulations, Section 226.10 (c)* states "...In submitting a Claim for Reimbursement, each institution shall certify that the claim is correct and that records are available to support that claim..."

*Title 7 of the Code of Federal Regulations Section 226.17 (b)(8)* states, "Child care centers shall collect and maintain documentation of the enrollment of each child, including information used to determine eligibility for free and reduced price meals in accordance with §226.23(e)(1) ... Such documentation of enrollment must be updated annually, signed by a parent or legal guardian, and include information on each child's normal days and hours of care and the meals normally received while in care."

#### Recommendation

The Sponsor should ensure each participant is classified and reported according to income eligibility applications for child care center participants. Applications should be maintained on file and updated annually.

## **2. The Sponsor reported incorrect lunch meal counts**

#### Condition

The claim for reimbursement for the test month reported 922 breakfast meals, 910 lunch meal, and 1,103 supplements served. However, our review of the Sponsor's records verified 922 breakfast meals, 912 lunch meals, and 1,103 supplements prior to any meal disallowances. The difference was based on the following:

During our site visit on January 30, 2018, the monitor observed 52 lunch meals served. However, the Sponsor only documented 50 lunch meals served. The Sponsor under reported the number of lunch meals by two.

#### Criteria

*Title 7 of the Code of Federal Regulations, Section 226.10 (c)* states "...In submitting a Claim for Reimbursement, each institution shall certify that the claim is correct and that records are available to support that claim..."

Recommendation

The Sponsor should ensure the meal count claimed agrees with the actual meal count documentation and meals served.

**3. The Sponsor provided menus that did not meet USDA requirements**

Condition

A reimbursable breakfast meal consists of milk, a grain/ grain alternate and a fruit/vegetable/juice component. The breakfast menus for January 2018 had deficiencies and listed the following:

<b>Date</b>	<b>Missing Component</b>	<b>Disallowed Meals</b>
01/04/ 18	Missing Component: Grain/Grain Alternate Menu listed: Milk, hash browns and orange wedges	50 breakfast meals
01/18/ 18	Missing Component: Grain/Grain Alternate Menu listed: Milk, hash browns and orange wedges	26 breakfast meals

As a result, the cost reimbursement of 76 breakfast meals was disallowed.

Criteria

*Title 7 of the Code of Federal Regulations Section 226.17(b)(4)* states. "Each child care center participating in the Program shall claim only the meal types specified in its approved application in accordance with the meal pattern requirements specified in §226.20 ..."

Recommendation

The Sponsor should ensure menus meet the meal patterns established by the USDA.

**4. The Sponsor reported an incorrect number of participant days**

Condition

The claim for reimbursement for the test month of January 2018 reported 1,126 participant days. However, our review of the Sponsor's records verified 1,105 participant days.

Criteria

*Title 7 of the Code of Federal Regulations, Section 226.10 (c)* states "...In submitting a Claim for Reimbursement, each institution shall certify that the claim is correct and that records are available to support that claim..."

Recommendation

The Sponsor should ensure the attendance is recorded and reported correctly. Appropriate supporting documentation should be maintained and available.

**5. The Sponsor did not provide documentation to support the requirement that one whole grain-rich grain must be served each day**

Condition

In accordance with the revised meal pattern requirements, effective October 2017; at least one serving of grain per day must be whole grain-rich. The following deficiencies were identified:

- The menus for the following days did not list any whole grain product as being served: 01/04/18 and 01/18/18.

There were no meals disallowed due to the one year grace period given to Sponsors to conform to the revised CACFP meal patterns.

Criteria

*Title 7 of the code of Federal Regulations, Section 226.20 (4)(a) states, "At least one serving per day, across all eating occasions of bread, cereals, and grains, must be whole grain-rich. Whole grain-rich foods contain at least 50 percent whole grains and the remaining grains in the food are enriched, and must meet the whole grain-rich criteria specified in FNS guidance."*

Recommendation

The Sponsor should ensure all and menus meet the meal patterns established by the USDA.

**6. The Sponsor's infant menus did not meet the meal pattern requirements established by the USDA**

Condition

In accordance with the revised meal pattern requirements effective October 2017; when the child is developmentally ready, an infant aged 6-11 months must be served a fruit/vegetable component with the supplement meal. The menus provided for infants had deficiencies and listed the following:

Infant: TB, 10 Months

Dates	Missing Component
01/02/18, 01/03/18, 01/05/18, 01/08/18, 01/09/18, 01/10/18, 01/11/18, 01/16/18, 01/17/18, 01/19/18, 01/22/18, 01/24/18, 01/25/18, 01/26/18, 01/29/18, 01/30/18, 01/31/18	Fruit/Vegetable, after it has been introduced into the infant's diet

Infant: AK, 11 Months

Dates	Missing Component
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01/02/18, 01/03/18, 01/05/18	Fruit/Vegetable, after it has been introduced into the infant's diet
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Infant: KG, 9 Months

Dates	Missing Component
01/02/18, 01/03/18, 01/04/18, 01/05/18, 01/08/18, 01/09/18, 01/10/18, 01/11/18, 01/23/18, 01/24/18, 01/25/18, 01/26/18, 01/29/18, 01/30/18, 01/31/18	Fruit/Vegetable, after it has been introduced into the infant's diet

Infant: MH, 8 Months

Dates	Missing Component
01/02/18, 01/03/18, 01/04/18, 01/05/18, 01/08/18, 01/09/18, 01/10/18, 01/17/18, 01/18/18, 01/19/18, 01/22/18, 01/23/18, 01/24/18, 01/25/18, 01/26/18, 01/29/18, 01/30/18, 01/31/18	Fruit/Vegetable, after it has been introduced into the infant's diet

Infant: AR, 6 Months

Dates	Missing Component
01/02/18, 01/03/18, 01/04/18, 01/05/18, 01/08/18, 01/09/18, 01/10/18, 01/11/18, 01/22/18, 01/23/18, 01/24/18, 01/25/18, 01/26/18, 01/29/18, 01/30/18, 01/31/18	Fruit/Vegetable, after it has been introduced into the infant's diet

Infant: CW, 8 Months

Dates	Missing Component
01/02/18, 01/03/18, 01/04/18, 01/11/18	Fruit/Vegetable, after it has been introduced into the infant's diet

There were no meals disallowed due to the one year grace period given to Sponsors to conform to the revised CACFP meal patterns.

### Criteria

*Title 7 of the Code of Federal Regulations Section 226.20(b)(4)(ii) states, "6 through 11 months.... Meals are reimbursable when institutions and facilities provide all the components in the meal pattern that the infant is developmentally ready to accept."*

*Title 7 of the Code of Federal Regulations Section 226.20(b)(4)(ii)(B) states that the required components for a snack for children 6 through 11 months includes "Snack. Two to 4 fluid ounces of breastmilk or iron-fortified infant formula; and 0 to ½ slice bread; or 0-2 crackers; or 0-4 tablespoons infant cereal or ready-to-eat cereals; and 0 to 2 tablespoons of vegetable or fruit, or portions of both. Fruit juices and vegetable juices must not be served. A serving of grains must be whole grain-rich, enriched meal, or enriched flour."*

### Recommendation

The Sponsor should ensure menus meet the meal patterns established by the USDA.

### **Technical Assistance Provided**

Technical assistance was provided to the Sponsor on the revised meal pattern requirements and claiming new participants.

### **Disallowed Meal Cost**

The disallowed meals cost associated with the findings above is below the DHS threshold for repayment.

### **Corrective Action**

Alpha Vision Learning Center must complete the following actions within 30 days from the date of this report:

- Prepare and submit a corrective action plan to address the deficiencies identified in this report. The corrective action plan template is attached. Please return the corrective action plan to:

[AuditServices.CAPS.DHS@tn.gov](mailto:AuditServices.CAPS.DHS@tn.gov)

If you have questions relative to the corrective action plan please contact:

Allette Vayda, Director of Operations  
Child and Adult Care Food Program  
8th Floor Citizens Plaza Building  
400 Deaderick Street  
Nashville, Tennessee 37243  
[Allette.Vayda@tn.gov](mailto:Allette.Vayda@tn.gov)  
(615) 313-3769

We appreciate the assistance provided during this review. If you have any questions regarding this report, please contact Sean Baker, Audit Director 2, at 615-313-4727 or [Sean.Baker@tn.gov](mailto:Sean.Baker@tn.gov).

Sincerely,



Sam O. Alzoubi, CFE  
Director of Audit Services

Exhibit

cc: Octavia Johnson, Executive Director, Alpha Vision Learning Center  
Allette Vayda, Director of Operations, Child and Adult Care Food Programs  
Debra Pasta, Program Manager, Child and Adult Care Food Program  
Constance Moore, Program Specialist, Child and Adult Care Food Program  
Marty Widner, Program Specialist, Child and Adult Care Food Program

Elke Moore, Administrative Assistant 3, Child and Adult Care Food Program  
 Comptroller of the Treasury, State of Tennessee

**EXHIBIT**

**Verification of CACFP Independent Center Claim**

**Name of Agency: Alpha Vision Learning Center**

**Review Month/Year: January 2018**

**Total Meal Reimbursement Received: \$5,184.79**

<b>Program Area</b>	<b>Reported on Claim</b>	<b>Reconciled By Monitoring Review</b>
Number of Days that CACFP Food Service was operated	19	19
Total Attendance	1,126	1,105
Percentage of Participants in the Free or Reduced-price Category (For Proprietary Center Only)	XXXXXX	93%
Number of Breakfast meals Served	922	846
Number of Lunch meals Served	910	912
Number of PM snacks Served	1,103	1,103
Number of Participants in Free Category	70	70
Number of Participants in Reduced-Price Category	6	5
Number of Participants in Paid Category	8	6
Total Number of Participants	84	81
Total Amount of Eligible Food Costs	XXXXXXXX	\$3,634.57
Total Amount of Eligible Food and Non-Food Costs	XXXXXXXX	\$5,617.78



# Corrective Action Plan for Monitoring Findings

**Instructions:** Please print in ink or type the information to complete this document. Enter the date of birth for each Responsible Principal and/or Individual in Section B. Attach the additional documentation requested. Enter your name, title and date of signature on the last page. Please sign your name in ink. **Please return ALL pages of the completed Corrective Action Plan form.**

## Section A. Institution Information

Name of Sponsor/Agency/Site: Alpha Visions Learning Center	Agreement No. 00142	<input type="checkbox"/> SFSP <input checked="" type="checkbox"/> CACFP
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Mailing Address: 4379 Stage Road Memphis, Tennessee 38128-5708

## Section B. Responsible Principal(s) and/or Individual(s)

Name and Title: James Skefos, Owner	Date of Birth: / /
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## Section C. Dates of Issuance of Monitoring Report/Corrective Action Plan

Monitoring Report: 4/16/2018	Corrective Action Plan: 4/16/2018
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## Section D. Findings

Findings:

1. The number of participants reported in the reduced-price and paid categories was incorrect
2. The Sponsor reported incorrect lunch meal counts
3. The Sponsor provided menus that did not meet USDA requirements
4. The Sponsor reported an incorrect number of participant days
5. The Sponsor did not provide documentation to support the requirement that one whole grain-rich grain must be served each day
6. The Sponsor's infant menus did not meet the meal pattern requirements established by the USDA

The following measures will be completed within **30 calendar days** of my institution's receipt of this corrective action plan:

**Measure No. 1: The number of participants reported in the reduced-price and paid categories was incorrect**

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name:

Position Title:

Name:

Position Title:

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

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When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

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Where will the Corrective Action Plan documentation be retained? Please identify below:

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How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

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**Measure No.2: The Sponsor reported incorrect lunch meal counts**

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name: \_\_\_\_\_ Position Title: \_\_\_\_\_

Name: \_\_\_\_\_ Position Title: \_\_\_\_\_

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

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When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

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Where will the Corrective Action Plan documentation be retained? Please identify below:

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How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

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**Measure No. 3: The Sponsor provided menus that did not meet USDA requirements**

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name: \_\_\_\_\_ Position Title: \_\_\_\_\_

Name: \_\_\_\_\_ Position Title: \_\_\_\_\_

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

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When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

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Where will the Corrective Action Plan documentation be retained? Please identify below:

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How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

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**Measure No. 4: The Sponsor reported an incorrect number of participant days**

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name:

Position Title:

Name:

Position Title:

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

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When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

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Where will the Corrective Action Plan documentation be retained? Please identify below:

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How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

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**Measure No. 5: The Sponsor did not provide documentation to support the requirement that one whole grain-rich grain must be served each day**

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name:

Position Title:

Name:

Position Title:

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

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When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

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Where will the Corrective Action Plan documentation be retained? Please identify below:

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How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

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**Measure No.6: The Sponsor's infant menus did not meet the meal pattern requirements established by the USDA**

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name: \_\_\_\_\_ Position Title: \_\_\_\_\_

Name: \_\_\_\_\_ Position Title: \_\_\_\_\_

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

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When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

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Where will the Corrective Action Plan documentation be retained? Please identify below:

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How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

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I certify by my signature below that I am authorized by the institution to sign this document. As an authorized representative of the institution, I fully understand the corrective measures identified above and agree to fully implement these measures within the required time frame. I also understand that failure to fully and permanently correct the findings in my institution's CACFP or SFSP will result in its termination from the program, and the placement of the institution and its responsible principals on the National Disqualified List maintained by the U.S. Department of Agriculture.

Printed Name of Authorized Institution Official:

Position:

Signature of Authorized Institution Official: \_\_\_\_\_

Date: / /

Signature of Authorized TDHS Official: \_\_\_\_\_

Date: / /

- (xi) The institution, one of its sponsored facilities, or one of the principals of the institution or its facilities has been convicted for any activity that indicates a lack of business integrity;

(c) Administrative review is also available if the State agency notifies the institution and responsible principal or responsible individual of the following actions: proposed disqualification of a responsible principal or responsible individual, denial of a budget, denial of a line item within a budget, downward adjustment of the amount approved in a budget, suspension of an institution's participation, denial of start-up or expansion funds, denial of a request for advanced payment, recovery of an advance in excess of a claim, denial of a claim for reimbursement (except for late submission), decision not to forward an exception request for payment of a late claim, overpayment demand, denial of a new or renewing institution's application for participation, denial of sponsored facility application, notice of proposed termination, claim denial, claim deadline exceptions and requests for upward adjustments to a claim, or any other action affecting an institutions participation or claim for payment.

3. All appeal requests must be presented in writing to the TDHS Division of Appeals and Hearings not later than 15 calendar days after the date the institution or sponsoring agency receives the notice of adverse administrative action.

4. The date of an institution's or sponsoring agency's receipt of a notice of suspension and/or proposed termination and disqualification will be governed by the federal regulation at 7 CFR Part 226.2. The notice must specify the action being proposed or taken and the basis for the action, and is considered to be received by the institution or day care home when it is delivered, sent by facsimile, or sent by email. If the notice is undeliverable, it is considered to be received by the institution, responsible principal or responsible individual, or day care home five days after being sent to the addressee's last known mailing address, facsimile number, or email address.

5. The TDHS Division of Appeals and Hearings will acknowledge the receipt of the appeal request within 10 calendar days of the receipt of the institution's or sponsoring agency's request for review. The written request for review should state if a fair hearing is requested or if a review of written information in lieu of a fair hearing is requested. If the appeal request from the institution or sponsoring agency does not specifically request a hearing, a review of written information in lieu of a hearing will occur. If a fair hearing is requested and the institution or sponsoring agency's representative fails to appear, the right to a personal appearance is waived.

6. If an institution or sponsoring agency does not request a fair hearing or a review of written information in lieu of the hearing within 15 calendar days from the date the institution or sponsoring agency receives a Notice of Proposed Termination, the TDHS will issue a letter advising the institution or sponsoring agency that it is terminated from the CACFP effective on the 16<sup>th</sup> calendar day following the institution's or sponsoring agency's receipt of the notice, and that the responsible principals and individuals of the institution or sponsoring agency are disqualified from participation.

7. To be considered for a fair hearing or for a review of written information in lieu of a fair

**Appeal Procedures for Child and Adult Care Food Program-Institutions**  
**Revised March 2017**

hearing, all written documents must be submitted to the TDHS Division of Appeals and Hearings not later than 30 days after receipt of the notice of adverse administrative action.

8. The action of the TDHS must remain in effect during the administrative review. The effect of this requirement on particular actions by TDHS is as follows:

(i) *Overpayment demand.* During the period of the administrative review, TDHS is prohibited from taking action to collect or offset the overpayment. However TDHS must assess interest beginning with the initial demand for remittance of the overpayment and continuing through the period of administrative review unless the administrative review official overturns the TDHS's action.

(ii) *Recovery of advances.* During the administrative review, TDHS must continue its efforts to recover advances in excess of the claim for reimbursement for the applicable period. The recovery may be through a demand for full repayment or an adjustment of subsequent payments.

(iii) *Program payments.* The availability of Program payments during an administrative review of the denial of a new institution's application, denial of a renewing institution's application, proposed termination of a participating institution's agreement, and suspension of an institution are addressed in paragraphs (c)(1)(iii)(D), (c)(2)(iii)(D), (c)(3)(iii)(D), (c)(5)(i)(D), and (c)(5)(ii)(E), respectively, of 7 CFR §226.6.

9. The institution or sponsoring agency must refute the charges contained in the notice during the fair hearing or in the written information that is provided in lieu of the hearing.

10. The institution and the responsible principals and responsible individuals may retain legal counsel, or may be represented by another person.

11. If a fair hearing is requested, the institution or sponsoring agency will be notified in writing of the time, date and place of the fair hearing at least 10 calendar days in advance.

12. Any information which supports an adverse administrative action taken by the TDHS shall be available to the institution or sponsoring agency for inspection from the date of the receipt of the request for a fair hearing or a review of written information in lieu of the hearing.

13. In accordance with 7 CFR Part 226.6 (k)(8), the TDHS Division of Appeals and Hearings must conduct the administrative review of the proposed disqualification of the responsible principals and responsible individuals as part of the administrative review of the application denial, proposed termination, and/or proposed disqualification of the institution with which the responsible principals or responsible individuals are associated. However, at the administrative review official's discretion, separate administrative reviews may be held if the institution does not request an administrative review or if either the institution or the responsible principal or responsible individual demonstrates that their interests conflict.

14. The procedures contained in the Uniform Administrative Procedures Act found at TCA 4-5-301 et seq. shall be followed in rendering a decision on all appeals. The decision of the hearing officer is the final administrative determination to be afforded to the institution or sponsoring agency, and shall be rendered in a timely manner not to exceed 60 calendar days from the date of the receipt of the request for a fair hearing.

15. The processing limits for administrative appeals MUST be met. In the event a continuance is requested by a party, one continuance may be granted at the Hearing Official's discretion. This

**Appeal Procedures for Child and Adult Care Food Program-Institutions**  
**Revised March 2017**

continuance shall not be for a period longer than ten (10) calendar days unless there are exceptional circumstances. Exceptional circumstances must be detailed in the order of continuance and the order must contain a date certain for the hearing, to be set as soon as possible. A report of pending CACFP desk review and fair hearing requests will be generated and reviewed daily by the Clerk's Office and the Legal Director for Appeals and Hearings who will monitor the dates for timeliness. In the event a decision has not been rendered within forty-five (45) calendar days of the date of receipt of the request for fair hearing or desk review, the Legal Director for Appeals and Hearings or their back-up shall notify the hearing official to take appropriate action.

16. All requests for a fair hearing or for a review of written information in lieu of a hearing must be submitted to:

**Tennessee Department of Human Services**  
**Division of Appeals and Hearings**  
**PO Box 198996, Clerk's Office**  
**Nashville, TN 37219-8996**  
**Fax: (615) 248-7013 or (866) 355-6136**  
**E-mail: [AppealsClerksOffice.DHS@tn.gov](mailto:AppealsClerksOffice.DHS@tn.gov)**

17. If a termination action is upheld by the hearing officer, the TDHS will issue a letter to the institution or sponsoring agency and its responsible principals and individuals advising that the termination and disqualification are effective on the date of the ruling issued by the hearing officer. The agency maintains searchable records of all administrative reviews and their dispositions for a period of five (5) years.

18. As required by 7 CFR Part 226.6 (c)(7), each disqualified institution, sponsoring agency, principal and individual will be placed on the National Disqualified List maintained by the U.S. Department of Agriculture (USDA). Once included on the National Disqualified List, an institution, sponsoring agency, principal and individual shall remain on the list until such time as the USDA, in consultation with the TDHS, determines that the serious deficiencies that led to their placement on the list have been corrected, or until seven years have elapsed since they were disqualified from participation. However, if the institution, sponsoring agency, principal or individual has failed to repay debts owed under the program, they will remain on the list until the debt has been paid.