



**STATE OF TENNESSEE  
DEPARTMENT OF HUMAN SERVICES**

CITIZENS PLAZA BUILDING  
400 DEADERICK STREET  
NASHVILLE, TENNESSEE 37243-1403

TELEPHONE: 615-313-4700 FAX: 615-741-4165  
TTY: 1-800-270-1349  
www.tn.gov/humanservices

**BILL HASLAM**  
GOVERNOR

**DANIELLE W. BARNES**  
COMMISSIONER

CERTIFIED MAIL RECEIPT #70170660000035705951

February 9, 2018

Harry Smith, Owner  
Danielle Smith, Executive Director  
Bright Beginnings Enrichment Center, LLC  
1453 East Raines Road  
Memphis, Tennessee 38116-5976

**RE: Notice Termination and Disqualification for the Child and Adult Care Food Program (CACFP) Agreement Number 00-184 and Demand for Overpayment.**

Dear Mr. and Ms. Smith:

This letter serves as notice that the Tennessee Department of Human Services ("Department") is terminating the Child and Adult Care Food Program ("CACFP") agreement with Bright Beginnings Enrichment Center, LLC, Harry Smith, Owner and Danielle Smith, Executive Director (collectively, "Institution"). The grounds for this action are the Institution's failure to correct the serious deficiencies with the Institution's CACFP and the Institution's failure to return the over-payment money due to the Department. The authorization for this action is found in Paragraph 1.e. of your FY 2016 CACFP Provider Agreement and in the United States Department of Agriculture ("USDA") Food and Nutrition Service ("FNS") regulations at 7 C.F.R. § 226.6(c)(3).

The action in this letter is based on the Institution's failure to provide the over-payment money due to the Department and the Institution's failure to provide a Corrective Action Plan that meets the requirements contained on Page 4 of Memo Code CACFP 14-2012 dated May 1, 2012. On September 22, 2017, the Department of Human Services ("Department") sent you a Notice of Serious Deficiency. The notice outlined the following:

- The number of participants reported in the free and paid categories was incorrect
- The Sponsor reported incorrect meal counts
- One lunch menu did not meet USDA meal pattern requirements
- The Sponsor's reported attendance claim did not agree with the verified attendance
- The Sponsor's report of number of meals served exceeded the verified attendance
- There were participants that did not have a CACFP enrollment addendum form

- The Sponsor did not provide documentation for the required annual CACFP training
- The Sponsor did not maintain a financial system as required by CACFP Program policies
- Management did not maintain adequate records to compute the cost of labor allocable to the CACFP program
- The Sponsor did not comply with its management plan
- The Sponsor did not have a written compensation policy
- An inventory of food and non-food items was not maintained
- The Sponsor did not have adequate procurement standards

This failure resulted in the Department determining that the Institution and the responsible individuals are seriously deficient in their operation of the CACFP and owe an over-payment to the Department in the amount of \$2,712.50 as set forth in the monitoring review.

The responsible individual was asked to complete corrective action. However, the Institution and responsible individuals failed to complete an adequate Corrective Action Plan (CAP). Accordingly, the Department determined that the Institution and the Executive Director and the Board Chair have failed to fully and permanently correct the serious deficiency cited in the Serious Deficiency Notice.

As a result of the Institution's failure to submit an adequate Corrective Action Plan, a Notice of Proposed Termination and Disqualification was issued November 2, 2017. The Institution did not appeal the Notice of Proposed Termination. As a result, the Institution's CACFP Provider Agreement is formally terminated as of the date of this letter and Kids First Enrichment Center, Harry Smith, Owner and Danielle Smith, Executive Director are disqualified from future CACFP participation as required by the CACFP regulations at 7 C.F.R. § 226.6 (c)(3)(iii)(E).

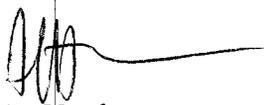
Institutions and individuals remain on the NDL until USDA's Food and Nutrition Service, in consultation with the Department, determines that the serious deficiencies have been corrected, or until seven years after their disqualification. However, if any debt relating to the serious deficiencies has not been repaid, they will remain on the NDL until the debt and any accrued interest is repaid. In accordance with 7 C.F.R. § 226.14(a), in part, the State agency must assess interest beginning February 20, 2017. For information about applied interest rates please visit the following website:

[http://www.fiscal.treasury.gov/fsreports/rpt/cvfr/historical\\_rates.htm](http://www.fiscal.treasury.gov/fsreports/rpt/cvfr/historical_rates.htm)

The authorization for this action is found in Paragraph 1.e. of your FY 2016 CACFP Provider Agreement and in the United States Department of Agriculture ("USDA") Food and Nutrition Service ("FNS") regulations at 7 C.F.R. § 226.6(c)(3).

If you have any questions, please feel free to contact Allette Vayda at (615) 313-3769.

Sincerely,



Allette Vayda  
Director, CACFP & SFSP



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Memphis, Tennessee 38116-5976

**Notice of payment due to findings disclosed in the monitoring report dated September 20, 2017, for Child and Adult Care Food Program (CACFP).**

Institution Name:	Bright Beginnings Enrichment Center, LLC
Institution Address:	1453 East Raines Road Memphis, Tennessee 38116-5976
Agreement Numbers:	00184
Amount Due:	\$2,712.50
Due Date:	October 22, 2017

Based on the monitoring report issued on September 22, 2017, by the Audit Services Division within the Tennessee Department of Human Services, the Community and Social Services- Food Programs- CACFP & SFSP management has agreed with the findings which require Bright Beginnings Enrichment Center, LLC. to reimburse the Department of Human Services unallowed cost in the amount of \$2,712.50.

Please remit a check or money order payable to the *Tennessee Department of Human Services* in the amount of \$2,712.50 by the due date to:

**Tennessee Department of Human Services  
Fiscal Services 11<sup>th</sup> Floor  
Citizens Plaza Building  
400 Deaderick Street  
Nashville, Tennessee 37243-1403**

Please note that the unallowed cost / overpayment of the CACFP is subject to an interest charge. The interest charge will be waived if the payment is received by the due date. If payment is not received by the end of 5th day of the due date, an interest charge may be added to the original amount due and will be billed to your entity.

If you have any questions regarding this notice, please feel free to contact Allette Vayda, Director, Community and Social Services-Food Programs-CACFP & SFSP at (615) 313-3769 or [Allette.Vayda@tn.gov](mailto:Allette.Vayda@tn.gov)

Thank you for your attention

