



**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.state.tn.us/humanserv/

BILL HASLAM
GOVERNOR

RAQUEL HATTER, MSW, Ed.D.
COMMISSIONER

Certified Mail - Return Receipt Requested # 70153430000103003822

July 11, 2016

Wanda Beard, Director
Hart to Heart Daycare Learning Center II
412 Bell Road
Nashville, Tennessee 37217

RE: Notice of Termination and Disqualification of Child and Adult Care Food Program Agreement Number 03-47-70385-00-1

Dear Ms. Beard:

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 Hart to Heart Daycare Learning Center II and Wanda Beard, 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 2014 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)(iii)(E).

The Institution failed to provide an acceptable Corrective Action Plan that meets the requirements contained on Page 4 of Memo Code CACFP 14-2012 dated May 1, 2012. On January 8, 2016, the Department of Human Services (“Department”) sent you a Notice of Serious Deficiency. The notice outlined the following: (1) the Hart to Heart Daycare Learning Center I and a principal for the organization are on the USDA National Disqualified List; (2) the Hart to Heart Daycare Learning Center II did not meet the requirement that at least 25% of the enrollment or license capacity be beneficiaries of the Child Care Certificate Program (CCCP) or participants who are eligible for free or reduced-price meal payments; (3) CACFP applications on file had regulatory deficiencies; (4) the number of participants reported in the free and paid categories was incorrect; (5) the Agency reported incorrect breakfast meal counts; (6) the

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Hart to Heart Daycare Learning Center II
July 11, 2016

Sponsor's documented number of meals served exceeded the verified attendance and (7) the Sponsor did not meet the required monitoring review standards.

This failure resulted in the Department determining that the Institution and the Director are seriously deficient in their operation of the CACFP. **The Institution has not submitted the over-payment of \$59,030.87. A 1% interest charge per annum (\$49.19) has been added to the over-payment. To provide for the recovery of the over-payment, please remit a check payable to the Tennessee Department of Human Services in the amount of \$59,080.06.**

The Institution has not paid the overpayment identified in the monitoring report issued November 2, 2015. In addition, 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 Director 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 March 11, 2016. The Institution did appeal, but did not prevail. As a result, the Institution's CACFP Provider Agreement is formally terminated as of the date of this letter and Hart to Heart Daycare Learning Center II and the Wanda Beard, Director are disqualified from future CACFP participation as required by the CACFP regulations at 7 C.F.R. § 226.6 (c)(3)(iii)(E).

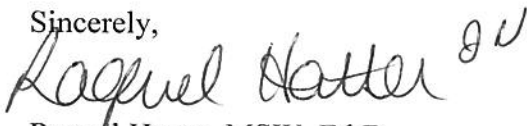
Institutions and individuals remain on the NDL until USDA's Food and Nutrition Service, in consultation with the Department, determines that the serious deficiencies have been corrected, or until seven years after their disqualification. However, if any debt relating to the serious deficiencies has not 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 July 27, 2015. For information about applied interest rates please visit the following website:

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 2014 CACFP Provider Agreement and in the CACFP regulations at 7 C.F.R. § 226.6(c)(3)(iii)(C).

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

Sincerely,

A handwritten signature in black ink that reads "Raquel Hatter" followed by a stylized monogram "RH".

Raquel Hatter, MSW, Ed.D.

Commissioner

AV/ba