



**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
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www.tn.gov/humanservices

BILL HASLAM
GOVERNOR

DANIELLE W. BARNES
COMMISSIONER

Certified Mail - Return Receipt # 7017066000035707092

July 31, 2018

Travis Close, Board Chairman
The University of Tennessee at Chattanooga Child Center
505 Riverfront Parkway
Chattanooga, TN 37402

Cindy Hornsby, Lead Coordinator
615 McCallie Avenue
Department 6666
Chattanooga, TN 37403

RE: Notice of Termination and Disqualification for the Child and Adult Care Food Program (CACFP) Agreement Number 00-537 and Demand for Overpayment.

Dear Mr. Close and Ms. Hornsby:

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 The University of Tennessee at Chattanooga Child Center, Travis Close, Board Chairman and Cindy Hornsby, Lead Coordinator (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 July 31, 2017, the Department of Human Services ("Department") sent you a Notice of Serious Deficiency. The notice outlined the following:

- The Sponsor did not provide us with any documents to support the Claim for Reimbursement for May 2017

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 \$1,591.06, as set forth in the monitoring review.

The University of Tennessee at Chattanooga Child Center appealed the notice of Serious Deficiency on November 15, 2017. On December 15, 2017 the Initial Order from the appeal hearing was issued, upholding the Notice of Serious Deficiency and the Department in entirety.

The responsible individual was asked to complete corrective action, the SA received an acceptable CAP. However, the Institution and responsible individuals failed to return the identified overpayment.

As a result of the Institution's failure to submit the identified overpayment, a Notice of Proposed Termination and Disqualification was issued February 9, 2018. 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 Apple Brook Academy, and Brenda Buckner, Owner, 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. 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 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

Enclosures



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DANIELLE W. BARNES
COMMISSIONER

February 9, 2018

Travis Close, Board Chairman
The University of Tennessee at Chattanooga Children's Center
615 McCallie Avenue
Department 6666
Chattanooga, TN 37403-2598

Notice of payment due to findings disclosed in the monitoring report dated November 2, 2017, for Child and Adult Care Food Program (CACFP).

Institution Name:	UTC Child Center
Institution Address:	615 McCallie Avenue Department 6666 Chattanooga , TN 37403-2598
Agreement Number:	00-537
Amount Due:	\$1,591.06
Due Date:	December 1, 2017

Based on the monitoring report issued on November 2, 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 your institution to reimburse the Department of Human Services for disallowed meals cost.

Please remit a check or money order payable to the *Tennessee Department of Human Services* in the amount of \$1,591.06 by the due date to:

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

Please note that the disallowed 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 the 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.

Thank you for your attention