Taking the Mystery out of the Serious Deficiency Process

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CACFP Magical Moments • Orlando, FL
April 2016
Serious Deficient

“...the status of an institution or a day care home that has been determined to be non-compliant in one or more aspects of its operation of the Program...”
The SD Process

Start: SD Determination

End: SD Resolution
The SD Process

Resolution

Correction of SD

Proposed Termination/Disqualification
Big Picture

- Serious Deficiency Determination
- Notice of Serious Deficiency
- Corrective Action
Big Picture

- Temporary Deferment
- Proposed Termination & Disqualification
- Appeal, if requested
Who Determines SD?
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1. Sponsoring Organizations
2. State Agency
3. FNS
Critical Factors

- Criteria for determining SD
- Frequency of Error
- Severity of Error
Definite SD

× Imminent Threat

× False or Fraudulent Claim
Big Mistakes

- Disputing SD Determination
- Failure to Submit Corrective Action Plan
Corrective Action

Who

What?

When?

Where?

How?
Permanent???

- Original Problem
- Time Elapsed
- Personnel Changes
- Records
Appeals

Assess SA or SO Action
Entities disqualified from participation in the Program
NDL Removal

- Not a priority
- No timeframe
- Acceptable CAP
NDL Removal

Debt, Plus Interest

FNS Concurrence
Remember!

NDL Removal ≠ Reinstatement
Questions
Thank You!
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