

Prototype Letter 16: Notice of Successful Corrective Action and Temporary Deferment of Serious Deficiency for Providers

[Note: Send this letter by certified mail/return receipt, an equivalent private delivery service (such as FedEx), fax, or e-mail as required by 7 CFR 226.2, definition of “notice” in the regulations.]

Date

Provider Name

Provider Street Address

Provider City, State 00000

Dear [Provider]:

This letter concerns the [date] Notice that you are seriously deficient in your operation of the Child and Adult Care Food Program (CACFP).

On [date], we received the documentation you sent us detailing the actions you have taken to correct these serious deficiencies on [date], before the corrective action deadline. *[Insert if applicable: We conducted an unannounced follow-up review to verify the adequacy of the corrective actions.]*

SERIOUS DEFICIENCY DETERMINATION TEMPORARILY DEFERRED

Based on our review of the documentation, we have determined that you have fully and permanently corrected the serious deficiencies. As a result, we have temporarily deferred our serious deficiency determination as of the date of this letter. This also means that we will not propose to terminate your agreement for cause based on this serious deficiency finding or disqualify you.

ADEQUACY OF CORRECTIVE ACTIONS (optional)

The following paragraphs describe the results of our review of the corrective action.

[Insert discussion of each serious deficiency and why the corrective action is adequate. Each serious deficiency discussed must include a citation for the relevant serious deficiency in the regulations at 7 CFR 226.16(l)(2). If the serious deficiency is not specifically listed, cite: 7 CFR 226.16(l)(2)(ix), any other circumstance related to nonperformance under the sponsoring organization-day care home agreement. Insert if appropriate: Our report on the [date] follow-up review will be provided to you in a separate letter.]

SUMMARY

We have temporarily deferred our serious deficiency determination. However, if we find

in any subsequent review that any of these serious deficiencies have not been fully and permanently corrected, we will immediately propose to terminate your agreement for cause and to disqualify you without any further opportunity for corrective action.

Sincerely,

Sponsoring Organization Employee Name and Title

cc: State Agency