



**STATE OF TENNESSEE
DEPARTMENT OF HUMAN SERVICES**

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BILL HASLAM
GOVERNOR

DANIELLE W. BARNES
COMMISSIONER

August 21, 2018

Buck Dozier, Board Chairman
Nashville Inner City Ministry
1000 Apex Street
Nashville, TN 37206-3416

Dear Mr. Dozier,

The Department of Human Services (DHS) - Division of Audit Services staff conducted an unannounced on-site monitoring review of the Summer Food Services Program (SFSP) at Nashville Inner City Ministry (Sponsor), Application Agreement number 00-675, on July 18, 2018. The purpose of this review was to determine if the Sponsor complied with the *Title 7 of the Code of Federal Regulations* (CFR) applicable parts, provider agreement, and applicable Federal and State regulations.

Based on our review of the Sponsor's records and information provided, the Sponsor had two feeding sites operating during the review period. **Nashville Inner City Ministry** feeding site was selected as the sample site.

Background

SFSP Sponsors utilize meal count sheets to record the number of breakfast, lunch, supper, and supplement meals served. Meals served by participating Sponsors must meet the minimum guidelines set by the United States Department of Agriculture (USDA) and DHS to be eligible for reimbursement. The SFSP Sponsor reports the number of meals served through the DHS Tennessee Information Payment System (TIPS) to seek reimbursement. We inspected meal counts sheets for our test period and reconciled the meals claimed to the meals reported as served for each meal service. We also assessed compliance with civil rights requirements. In addition, we observed meal services during our site visits throughout the review period.

Our review of the Sponsor's records for May and June 2018 disclosed the following:

1. The Sponsor reported the number of meals served incorrectly

Condition

Nashville Inner City Ministry – closed enrolled site

The Claim for Reimbursement for **Nashville Inner City Ministry** for the review period reported 427 breakfast meals and 429 lunch meals served. However, based on our review of the Sponsor's records, we found that there were 423 breakfast meals and 426 lunch meals served prior to any meal disallowances.

As a result, four breakfast meals and three lunch meals served were over claimed.

Hy-Lake – residential camp

The Claim for Reimbursement for **Hy-Lake** for the review period reported 514 breakfast meals, 411 lunch meals, and zero supper meals served. However, based on our review of the Sponsor's records, we found that there were 514 breakfast meals, 411 lunch meals, and 308 supper meals served prior to any meal disallowances.

As a result, the Sponsor underreported 308 supper meals served.

Criteria

Title 7 of the Code of Federal Regulations, Section 225.9(d)(5) states, "... In submitting a claim for reimbursement, each sponsor shall certify that the claim is correct and that records are available to support this claim...."

Recommendation

The Sponsor should ensure that claims for reimbursement are completed correctly and based on proper supporting documents.

2. The Sponsor claimed meals served to children that were classified as paid

Hy-Lake – residential camp

Condition

During our monitoring visit on July 18, 2018, the Sponsor stated breakfast and lunch meals were claimed for all participants in attendance at the camp for the review period regardless of the participants' income eligibility classification. Based on our review of the Sponsor's records, we found that there were 305 breakfast meals and 246 lunch meals served to eligible participants prior to any meal disallowances.

As a result, the Sponsor over reported 209 breakfast meals and 165 lunch meals served.

Criteria

Title 7 of the Code of Federal Regulations, Section 225.9(d)(10) states, "Sponsors of camps shall be reimbursed only for meals served to children in camps whose eligibility for Program meals is documented...."

Title 7 of the Code of Federal Regulations, Section 225.16(b)(1) states, "Sponsors of camps shall only be reimbursed for meals served in camps to children from families which meet the eligibility standards for this Program. The sponsor shall maintain a copy of the

documentation establishing the eligibility of each child receiving meals under the Program....”

Recommendation

The Sponsor should ensure to claim meals for participants who meet the eligibility standards for camps.

3. The Sponsor incorrectly reported the number of participants in the free and paid categories

Condition

Nashville Inner City Inner Ministry – closed enrolled site

Based on our review of the Sponsor’s records for **Nashville Inner City Inner Ministry** for the review period, the Sponsor classified 44 participants in the free category. However, we found there were 39 participants in the free category. There were five participants reported in the free category that did not meet income eligibility requirements for the free category. These participants were reclassified as paid.

As a result, the Sponsor over reported the number of participants in the free category by five participants. No meals were disallowed due to the site meeting the minimum 50% enrollment of free participants.

Hy-Lake – residential camp

Based on our review of the Sponsor’s records for **Hy-Lake** for the review period, the Sponsor classified 63 participants in the free category. However, based on our review of the income eligibility applications, we found there were 62 participants in the free category. There was one participants reported in the free category that did not meet income eligibility requirements for the free category. This participant was reclassified as paid.

As a result, the Sponsor over reported the number of participants in the free category by one participant. All meals claimed for participants who should have been reported in the paid category were previously disallowed in Finding 2.

Criteria

Title 7 of the Code of Federal Regulations, Section 225.16(b)(1) states, “Sponsors of camps shall only be reimbursed for meals served in camps to children from families which meet the eligibility standards for this Program. The sponsor shall maintain a copy of the documentation establishing the eligibility of each child receiving meals under the Program....”

Recommendation

The Sponsor should ensure that all eligibility requirements are met prior to submitting a Claim for Reimbursement for any month.

Technical Assistance Provided

During our monitoring visit on June 18, 2018, the Sponsor requested technical assistance regarding limited English information, meal counting and claiming, and SFSP best practices. Information was provided via email on June 19, 2018.

During our monitoring visit on July 27, 2018, the Sponsor requested technical assistance regarding closed enrolled sites and camps. Information was provided via email on July 27, 2018.

Note: The over claimed and under claimed meals were netted, and the result of disallowance was below DHS threshold for recoupment. (See Exhibit A)

Corrective Action

The Sponsor must complete the following actions within 30 days from the date of this report:

- Prepare and submit a corrective action plan to address the deficiencies identified in this report. The corrective action plan template is attached. Please return the corrective action plan to:

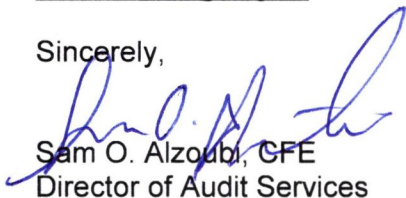
AuditServices.CAPS.DHS@tn.gov

If you have questions relative to the corrective action plan please contact:

Allette Vayda, Director of Operations
Child and Adult Care Food Program
8th Floor Citizens Plaza Building
400 Deaderick Street
Nashville, Tennessee 37243
Allette.Vayda@tn.gov
(615) 313-3769

We appreciate the assistance provided during this review. If you have any questions regarding this report, please contact Sean Baker, Audit Director 2, at 615-313-4727 or Sean.Baker@tn.gov.

Sincerely,



Sam O. Alzoubi, CFE
Director of Audit Services

Exhibits

cc: Michael Flowers, Director, Nashville Inner City Ministry
Lytle Thomas, CEO, Nashville Inner City Ministry
Allette Vayda, Director of Operations, Child and Adult Care Food Programs
Debra Pasta, Program Manager, Child and Adult Care Food Program
Elke Moore, Administrative Services Assistant 3, Child and Adult Care Food Program
Constance Moore, Program Specialist, Child and Adult Care Food Program
Marty Widner, Program Specialist, Child and Adult Care Food Program
Comptroller of the Treasury, State of Tennessee

Exhibit A

Sponsor: Nashville Inner City Ministry
Review Month/Year: May/June 2018
Claim Reimbursement Total: \$5,504.78

Site Meal Service Reconciliation and Monitor Activity	Reported on Claim	Reconciled to Documentation
Total Number of Days Food Served	13	13
Number of Participating Sites for Breakfast	2	2
Number of Participating Sites for Lunch	2	2
Number of 1 st Breakfasts Served	960	728
Number of 2 nd Breakfasts Served	190	19 ¹
Number of 1 st Lunches Served	857	672
Number of 2 nd Lunches Served	202	17 ¹
Number of 1 st Suppers Served	0	308

¹Max allowed by TIPS for 2nd meals is determined by TIPS the difference is immaterial and was not included in this report as a finding



Corrective Action Plan for Monitoring Findings

Instructions: Please print in ink or type the information to complete this document. Enter the date of birth for each Responsible Principal and/or Individual in Section B. Attach the additional documentation requested. Enter your name, title and date of signature on the last page. Please sign your name in ink.

Please return ALL pages of the completed Corrective Action Plan form.

Section A. Institution Information

Name of Sponsor/Agency/Site: Nashville Inner City Ministry	Agreement No. 00675	<input checked="" type="checkbox"/> SFSP <input type="checkbox"/> CACFP
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Mailing Address: 1000 Apex Street Nashville, TN 37206-3416

Section B. Responsible Principal(s) and/or Individual(s)

Name and Title: Buck Dozier	Date of Birth: / /
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Section C. Dates of Issuance of Monitoring Report/Corrective Action Plan

Monitoring Report: 8/21/18	Corrective Action Plan: 8/21/18
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Section D. Findings

Findings:

1. The Sponsor reported the number of meals served incorrectly
2. The Sponsor claimed meals served to children that were classified as paid
3. The Sponsor incorrectly reported the number of participants in the free and paid categories

The following measures will be completed within **30 calendar days** of my institution's receipt of this corrective action plan:

Measure No. 1: The Sponsor reported the number of meals served incorrectly

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name:

Position Title:

Name:

Position Title:

DHS staff should check the "Forms" section of the intranet to ensure the use of current versions. Forms may not be altered without prior approval.

Distribution: OIG and CACFP/SFSP as appropriate

RDA: 2341

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

Where will the Corrective Action Plan documentation be retained? Please identify below:

How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

Measure No.2: The Sponsor claimed meals served to children that were classified as paid

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name:

Position Title:

Name:

Position Title:

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

Where will the Corrective Action Plan documentation be retained? Please identify below:

How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

Measure No. 3: The Sponsor incorrectly reported the number of participants in the free and paid categories

The finding will be fully and permanently corrected.
Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name: Position Title:

Name: Position Title:

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

Where will the Corrective Action Plan documentation be retained? Please identify below:

How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

I certify by my signature below that I am authorized by the institution to sign this document. As an authorized representative of the institution, I fully understand the corrective measures identified above and agree to fully implement these measures within the required time frame. I also understand that failure to fully and permanently correct the findings in my institution's CACFP or SFSP will result in its termination from the program, and the placement of the institution and its responsible principals on the National Disqualified List maintained by the U.S. Department of Agriculture.

Printed Name of Authorized Institution Official:

Position:

Signature of Authorized Institution Official: _____

Date: / /

Signature of Authorized TDHS Official: _____

Date: / /

SUMMER FOOD SERVICE PROGRAM SPONSOR APPEAL PROCEDURES

7 C.F.R. § 225.13 governs appeals in the Summer Food Service Program and the maximum time limit for processing appeals is nineteen (19) calendar days for the Summer Food Service Program as follows:

1. The Department shall notify the appellant (Sponsor) in writing of the grounds upon which the Department has based the action. The Department's notice of action shall be sent by certified mail, return receipt requested, and shall also state that the sponsor or food service management company has the right to appeal the Department's action.
2. Appealable actions are outlined in 7 C.F.R. § 225.13(a) and are: A denial of an application for participation; a denial of a sponsor's request for an advance payment; a denial of a sponsor's claim for reimbursement (except for late submission under 7 CFR § 225.9(d)(6)); the Department's refusal to forward to FNS an exception request by the sponsor for payment of a late claim or a request for an upward adjustment to a claim, a claim against a sponsor for remittance of a payment, the termination of the sponsor or a site, a denial of a sponsor's application for a site, a denial of a food service management company's application for a site; of a food service management company's registration, if applicable.
3. The time period allowed for filing the appeal where actions are appealable as specified in 7 C.F.R. § 225.13(a) is ten (10) calendar days from the date on which the notice of action sent by certified mail return receipt requested is received.
4. The appeal must be in writing and must conform to the requirements outlined in 7 C.F.R. § 225.13(b) (4), which are set forth in number (6) below.
5. The address to file an appeal is as follows:

**Tennessee Department of Human Services
Appeals and Hearings Division, Clerk's Office
P.O. Box 198996
Nashville, TN 37219-8996
Toll Free. (866) 757-8209
Local (615) 744-3900
Fax. (866) 355-6136
AppealsClerksOffice.DHS@tn.gov**

6. The appellant is allowed to refute the charges in the notice of action in person, or by filing written documentation with the review official. If the appeal letter does not specifically request a hearing, a review of written documentation in lieu of a hearing will occur. To be considered, written documentation must be submitted by the appellant within seven (7) calendar days of submitting the appeal. An appellant is allowed the

opportunity to review information upon which the action described in the notice of action was based.

7. If the appellant requested a hearing in the appeal letter, the appellant shall be given at least five (5) calendar days advance written notice by certified mail, return receipt requested, of the date, time, and place of hearing.
8. If the appellant requested a hearing in the appeal letter, the hearing will be conducted within fourteen (14) calendar days of the receipt of the appeal. However, the hearing will not be held before the appellant's written documentation is received where the appellant has requested to submit the written documentation. The appellant may retain legal counsel or may be represented by another person. If the appellant institution or sponsoring agency is a corporation, partnership or other legally created entity, then the sponsoring institution or agency must be represented by an attorney. Otherwise, the individual representing the agency will have limited participation in the hearing. If the appellant institution or sponsoring agency is a natural person (not a corporation, partnership or other artificial entity), he/she may retain an attorney, represent themselves or be represented by another person. Failure of the appellant's representative to appear at a scheduled hearing shall constitute the appellant's waiver of the right to a personal appearance before the review official, unless the review official agrees to reschedule the hearing. A representative of the State agency shall be allowed to attend the hearing to respond to the appellant's testimony and written information and to answer questions from the review official. The review officer shall be independent of the original decision-making process.
9. Within five (5) working days after receiving the written documentation, and where a hearing was not requested in the appeal letter, the administrative review official, based on a full review of the administrative record, will inform the appellant, by certified mail, return receipt requested, of the official's determination.
10. Within five (5) working days after the hearing has been held, when a hearing was requested in the appeal letter, the hearing official, based on a full review of the administrative record, will inform the appellant, by certified mail, return receipt requested, of the official's determination.
11. 7 CFR. § 225.13(11) requires the Program's administrative action to remain in effect during the appeal process.
12. Participating sponsors and sites may continue to operate during an appeal of a termination.
13. Reimbursement shall be paid for meals served during the appeal process if the administrative review determination overturns the Program's administrative action that was appealed.

14. If the sponsor or site has been terminated for the reason of imminent dangers to the health or welfare of children, the operation shall not be allowed to continue during the appeal process and this reason shall be specified in the notice of action.
15. The review official will make a determination based on information provided by the State agency and the appellant, and on Program regulations.
16. The determination made by the hearing official is the final administrative determination provided under 7 225.13(12), and will become the Final Order and set forth the time limits for seeking judicial review.