

## **Section 8: Corrective Action and Serious Deficiency**

### **1. Corrective Action Plan**

The Sponsor must require corrective action by Providers as indicated in the Sponsor/Provider Agreement in accordance with state and federal regulation, guidance and policy and in accordance with this Sponsor Management Plan.

The Sponsor has a corrective action plan (CAP) procedure that at a minimum addresses the following:

- a. The method of documentation of the non-compliance issue(s) supporting the Sponsor's decision to place the Provider in corrective action per MT CACFP 2005-10 Rev 4;
- b. That a CAP specifically identifies the non-compliance issue(s), how the provider is to correct the non-compliance issue(s), and compliance due within 30 days.
- c. CAP must be recorded on Sponsor monitoring review form and if the sponsor decides, notification by letter to the Provider in addition.
- d. An assurance that the Sponsor exhausts all corrective action methods and provides technical assistance to the Provider before declaring a Provider seriously deficient; and,
- e. If the provider does not complete the corrective action required by the sponsor, then the sponsor will determine that provider to be seriously deficient.

The Sponsor's Corrective Action Plan Procedure is Attachment KK in this sponsor management plan.

### **2. Serious Deficiency Determinations**

The Sponsor must determine a Provider to be seriously deficient according to the Sponsor/Provider Agreement, federal and state agency rules for CACFP, and the Sponsor's Management Plan.

The Sponsor issues a corrective action plan that if followed, will correct the serious deficiency, as follows:

- a. The method of documentation of the non-compliance issue(s) supporting the Sponsor's decision to declare the Provider to be seriously deficient per MT CACFP Policy 2005-10 Rev 4;
- b. A corrective action plan (CAP) that clearly identifies the serious deficiency, how the provider may correct the deficiency, and a due date not to exceed 30 days for Provider compliance.
- c. An assurance that the Sponsor requires the Provider to fully and permanently correct the serious deficiency in order to continue participation in CACFP.
- d. A method of tracking the Provider's response to the corrective action plan.
- e. An assurance that, if the Sponsor terminates the Provider for cause or suspends them, that the Sponsors provides Administrative Review (Appeal) Rights to that Provider.

The Sponsor's Serious Deficiency Procedure is Attachment LL in this sponsor management plan.

All documentation of corrective actions and serious deficiencies must be kept on file by the Sponsor and available for Federal or State agency review upon request. A copy of all serious deficiency determinations must be sent to the State agency by the Sponsor at the time the serious deficiency is issued and at the time it is temporarily deferred.

## **9: Confidential Records**

1. The Sponsor keeps all Provider information confidential and in a secure location.
2. The Sponsor ensures the confidentiality of protected health information.