



**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
TTY: 1-800-270-1349
www.tn.gov/humanserv/

BILL HASLAM
GOVERNOR

DANIELLE W. BARNES
COMMISSIONER

CERTIFIED MAIL RECEIPT # 70170660000035705616

March 20, 2018

Valerie Malone, Owner
Apples and Cookies Enrichment Center
5295 Soltiare Way
Memphis, Tennessee 38109-6378

RE: Notice of Termination and Disqualification for the Child and Adult Care Food Program (CACFP) Agreement Number 00155 and Demand for Overpayment.

Dear Ms. Malone:

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 Apples and Cookies Enrichment Center, and Valerie Malone, Owner (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. On May 17, 2017, the Department of Human Services (“Department”) sent you a Notice of Serious Deficiency. The notice outlined the following:

- The Sponsor provided attendance records included children who did not attend Apples and Cookies Enrichment Center
- According to CACFP applications on file, participants were categorized in incorrect categories
- The Sponsor reported incorrect meal counts
- The Sponsor’s sign-in and sign-out sheets did not coincide with the reported number of meals based on participant presence for the month of January 2017
- Menus did not meet USDA component requirements

- The number of attendance days reported was incorrect
- The Sponsor's documented number of meals served exceeded the verified attendance
- The sponsor did not have a dated menu posted for the meal observed
- There were participants that did not have CACFP enrollment information

Apples and Cookies Enrichment Center submitted an acceptable Corrective Action Plan on July 7, 2017 and submitted a portion of the identified overpayment in the amount of \$3,356.80. Apples and Cookies Enrichment Center has an outstanding overpayment in the amount of \$5,433.37. Due to the outstanding overpayment Tennessee Department of Human Services ("Department") has determined that the Institution has failed to fully and permanently correct the serious deficiency cited in the Serious Deficiency Notice.

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 \$5,433.37, as set forth in the monitoring review.

As a result of the Institution's failure to submit the identified overpayment, a Notice of Proposed Termination and Disqualification was issued February 14, 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 Apples and Cookies Enrichment Center, and Valerie Malone, Owner, are disqualified from future CACFP participation as required by the CACFP regulations at 7 C.F.R. § 226.6 (c)(3)(iii)(E).

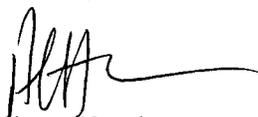
Institutions and individuals remain on the NDL until USDA's Food and Nutrition Service, in consultation with the Department, determines that the serious deficiencies have been corrected, or until seven years after their disqualification. However, if any debt relating to the serious deficiencies has not 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



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March 30, 2018

Valerie Malone
Apples and Cookies Enrichment Center
5295 Soltiare Way
Memphis, Tennessee 38109-6378

Notice of payment due to findings disclosed in the monitoring report dated May 17, 2017, for Child and Adult Care Food Program (CACFP).

Institution Name:	Apples and Cookies Enrichment Center
Institution Address:	3654 Boxtown Road Memphis TN, 38019
Agreement Numbers:	00155
Amount Due:	\$5,433.37
Due Date:	June 17, 2017

Based on the monitoring report issued on May 17, 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 requires Apples and Cookies Enrichment Center to reimburse the Department of Human Services unallowed cost in the amount of \$8,790.17.

Please remit a check or money order payable to the *Tennessee Department of Human Services* in the amount of \$5,433.37 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 unallowed 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 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

