Questions and Answers
Sponsor Oversight and Training

I. Sponsor Oversight

Enrollment Forms

Question 1. Will a signed statement from a parent or a printout sent to the provider by the sponsor constitute annual update of the child’s enrollment?

Answer: No. A signed statement from a parent that did not also certify that the child’s days, hours, and meals received in care had not changed would be insufficient. We may permit providers to provide parents with the previous year’s enrollment form, and to ask parents to indicate any changes and to sign and date the form. In that way, parents have an opportunity to indicate a change to their child’s days, hours, and meals received in care.

Question 2. Must all enrollments expire on the same date?

Answer: No. Enrollment forms do not have to expire at the same time. The only limitation is that enrollment forms cannot be in effect for more than 12 months.

Question 3. Does the new requirement for normal days and hours in care on the enrollment form mean that the provider cannot claim meals served to a child at other times?

Answer: No. The expanded information on the enrollment form is intended to serve as a red flag for CACFP monitors during on-site reviews. We understand that there are many legitimate discrepancies between a child’s projected schedule and the actual attendance and meal counts recorded by providers. Asking parents to estimate when their children will be in care provides the monitor with information that will make it easier to detect when meal counts are being inflated.

Question 4. How should parents fill out an enrollment form when their work schedule (and child care needs) varies from one week to the next?

Answer: When parents work swing or rotating shifts, we would expect them to indicate on the enrollment forms that they work multiple shifts, and that their children would be in care for different hours on different days. Although their schedules may be unpredictable, we would ask the parents to estimate the hours and days they expect that their children will most often be in care.
Question 5. For the provider’s own children, must enrollment forms be updated annually and must the provider note the normal days, hours, and meals their children receive on the forms (since providers can only claim their children’s meals when other children are present)?

Answer: Yes. Signed and completed enrollment forms, containing the newly-required information on days, hours, and meals received in care, are required for every enrolled child who receives at least one Program meal, including the provider’s own. If the State’s licensing rules exempt provider’s own children from being enrolled for care, the relevant information must still be captured and updated annually to comply with CACFP requirements. In this case, annually updated information on the child’s expected days, hours, and meals received in care might be captured on a form other than an “enrollment” document.

Question 6. What is the definition of an enrolled child? Is it a child who attends a child care facility at least once during the month, or is it a child who may attend, based on the yearly enrollment update?

Answer: An enrolled child is defined as a child whose parent has submitted a signed document indicating that the child is enrolled for child care. Any child who could be in attendance, for the purpose of receiving child care and at least one CACFP meal, would be an enrolled child.

Question 7. If a provider provides transportation does it still need to include normal hours of care on the enrollment forms?

Answer: Yes. The enrollment forms must still include the children’s normal days and hours in care.

Edit Checks

Question 8. Once a legitimate reason is documented for a provider to submit a block claim, does the legitimate reason have to be re-documented each year?

Answer: Yes. The sponsor’s determination that a legitimate cause exists for block claiming by the provider must be established and documented in the provider’s case file for each annual review period.

Question 9. Would SNP provide more guidance on what would constitute a “legitimate” explanation of a block claiming pattern? Would you provide a list of reasons?

Answer: A general rule to follow in determining whether a block claim may be legitimate would be:

The lower the number of nonresidential children in the home, or the lower the number of nonresidential families being served, the more likely it is that the home could trigger a block claim.
Although it is neither possible nor desirable to provide a comprehensive list of the circumstances that could justify a block claim, we have previously identified the following situations as examples of legitimate explanation of a block claim:

a. A day care home caring for one or two nonresidential children whose single parent has no sick leave benefits;
b. A day care home located near a low-wage factory that specializes in care for sick children of the factory workers; and
c. A day care home that offers drop-in care and is always filled to capacity.

No doubt there are other circumstances that could legitimately explain a block claim. These situations can only be determined by the sponsor, which has knowledge of the specific circumstances occurring in its facilities.

**Question 10. Can a sponsor employ an edit check that is more restrictive than the minimum edit checks required by the regulations?**

**Answer:** Yes. However, the sponsor would always have to ensure that, whatever edit checks they employ, they include the minimum requirements for edit checks set forth in Policy Alert CACFP-DCH 2005-20, *Implementation of Meal Edit Checks*.

**Question 11. Does “15 consecutive days” refer to calendar or operating days?**

**Answer:** The term “consecutive days” refers to operating days. If a provider is providing child care every day of the week, a block claim could occur in just over two weeks of claiming the same number of meals for a meal type (e.g., breakfasts). However, if a provider operates 5 days a week, Monday through Friday, the same block claiming pattern would be established at the end of the third week.

**Question 12. Must the “15 consecutive days” occur in one claiming month to constitute a “block claim,” or must sponsors track a block claim across two months?**

**Answer:** The definition of a block claim identifies a block claim as the same number of meals claimed per meal type for a 15-day period *within the claiming period* (emphasis added). In most cases, a claiming period will coincide with a calendar month.

**Question 13. If a child leaves on day 5 of a 15-day period, and another child comes in, is it still a block claim?**

**Answer:** Yes. The edit check identifies the same number of meals per meal type served over a consecutive 15-day period in a claiming period. The meals do not have to be tracked to each child. The identification of a block claim does not automatically signal a false claim. Rather the edit check functions as a “red flag” to alert the sponsor to a possible problem with the claim that requires sponsor follow-up.
Question 14. Since the definition of a block claim is based on the total number of each meal type served, can SNP “refine” that definition in situations where the sponsor’s claiming system allows them to track the meals received by each child?

Answer: We must not “modify” the regulations definition of what constitutes a block claim, and the unannounced follow-up review would still need to be conducted, even if the sponsor’s claiming system allows them to discern that different children received the meals on different days. However, if the sponsor’s claiming system allows them to track the meals received by each child each day, that information can be a part of the sponsor’s documentation of the reason the provider submitted a block claim in a particular month.

Question 15. How will an unannounced follow-up review help prevent block claiming?

Answer: The unannounced follow-up review can help by allowing the sponsor to:

- compare the number of meals served on the day of the review to the number of meals typically being claimed by the provider; and
- assess whether there is a legitimate reason for the block-claiming pattern that was detected.

Question 16. If a sponsor does not have an automated claim system, how can it check for block claims?

Answer: If the sponsor does not have an automated system, the sponsor’s staff will have to manually check the claims submitted by providers each month.

Question 17. Does a sponsor with a manual system need to apply each of these three edit checks to every provider’s meal count? Our sponsors with manual systems check 25 percent of the claims each month, and then more if at least 2 percent are in error.

Answer: Yes. The edit checks specified must be applied to each provider’s claim each month. Checking a percentage of the sponsor’s providers is not an acceptable method of complying with these requirements.

Question 18. Should sponsors inform providers of the block claim requirements? If they do, it seems likely that providers who are submitting fraudulent claims will simply avoid triggering the block claim edit check.

Answer: Each sponsoring organization can make this determination. It is likely that providers will find out about the edit checks anyway. Furthermore, if a sponsor detects a suspicious claiming pattern and suspects that a provider is submitting false claims, even if the number of consecutive days is less than 15, the sponsor should schedule an unannounced review as soon as possible.
Question 19. Do sponsors’ edit checks have to be able to separately track different types of snacks?

Answer: Sponsoring organizations are required to have edit checks that differentiate between types of snacks. If they did not, it would be difficult to tell whether a facility was claiming for three meals (e.g., breakfast, lunch and PM snack) or four meals (e.g., breakfast, lunch, and both snacks). Therefore, sponsor edit check systems should be designed to capture information on each meal type, and therefore must be capable of distinguishing between AM and PM snacks.

Question 20. In examining the reasons for a block claim, if the provider states that she always cares for sick children, how should the sponsor document the accuracy of her statement?

Answer: The sponsor will be able to assess this statement when it conducts the unannounced follow-up review, examines the enrollment forms, and observes the number of children in care. In addition, even if the sponsor determines that the provider has a legitimate reason for the block claim, the subsequent unannounced review will allow the sponsor to observe the number of children present and further confirm, or refute, the provider’s statement. The sponsor may also wish to use household contacts to obtain additional information about the number of children typically in care for a particular meal service.

Question 21. If sponsors only collect the aggregate monthly number of meals served by their facilities, they can’t check for a block claim, except when they are conducting a review.

Answer: All sponsors and providers have been required (since long before the second interim rule) to keep daily meal counts, by meal type. In order to implement the block claim edit check, the sponsor must collect these daily meal counts, by meal type, for each provider they sponsor. The delayed implementation of this provision (the rule was published on September 1, 2004, but the edit check provisions took effect on October 1, 2005) was designed to give sponsors time to make any changes necessary to bring their payment and edit check systems into compliance with the new requirements.

Question 22. If a seriously deficient provider submits a block claim, can the sponsor combine its block claim follow-up review with its follow-up to determine whether corrective action was taken on the serious deficiency?

Answer: Yes. The sponsor should gather as much information as possible during any unannounced review.
**Household Contacts**

**Question 23.** How can information from household contacts be used in appeals? Should a sponsor initiate the serious deficiency process based on a household contact conducted by telephone? What if the parents initially report that their children were not in care, without documenting it in writing, and later, change their story?

*Answer:* When household contacts are conducted over the telephone, the sponsor should ask the parent to sign and date a statement to verify the details of the telephone conversation. Even if the parents later change their account, the existence of the original signed statement will be useful if the provider later appeals a proposed termination.

**Five-Day Reconciliation**

**Question 24.** Must a day care home sponsor conduct a five-day reconciliation in the home, during the onsite review, or could the reconciliation be conducted in the sponsor’s office prior to the review?

*Answer:* To conduct the reconciliation, the reviewer would need access to all current enrollment forms, and daily attendance records and meal counts for the current or previous month. If this information is available in the sponsor’s office, the reviewer could perform the reconciliation in the office prior to arriving at the home and then complete any necessary follow-up work on the reconciliation during the visit to the home.

**Question 25.** How can a sponsor monitor conduct a five-day reconciliation if the enrollment forms have not been updated as required?

*Answer:* The initial step in conducting a five-day reconciliation is to determine whether the enrollment and attendance data are current and accurate. If the monitor determines that the enrollment data are not current or accurate, then attendance data should be used to conduct the reconciliation. In this case, the monitor would require corrective action to bring the facility into compliance with the enrollment requirements. Depending on the facility’s previous record, the corrective action might or might not be part of a declaration of a serious deficiency.

**Question 26.** In order for an onsite review to count as one of the three required annual reviews, must a five-day reconciliation be performed? What if the review is conducted between the 1st and 5th of the month, and the provider has mailed all of its prior month’s documentation to the sponsor?

*Answer:* Yes. Sponsors must conduct a five-day reconciliation of enrollment or attendance records to meal counts as part of the onsite review. When scheduling onsite reviews, the sponsor should consider factors such as the availability of information needed for the review.
Question 27. In a five-day reconciliation, what constitutes a discrepancy? Enrollment, attendance, and meal counts will rarely be the same.

Answer: When conducting a five-day reconciliation, the monitor’s task is to determine whether the meal counts were accurate when compared to the daily or shift attendance for all meal types for the selected five-day period. Enrollment data serves as a check on the attendance data. If attendance exceeds enrollment, for any day or for any shift (if shift care is provided), the monitor must determine the source of the error (e.g., inaccurate attendance records, missing enrollment forms) before the five-day reconciliation can be completed, and the nature of the required corrective action can be determined.

Review Elements (and Other Questions Related to Sponsor Reviews)

Question 28. Do all three reviews of each provider conducted annually by sponsors have to be conducted onsite?

Answer: Yes. Even though monitors may review many records in the sponsor’s office prior to the review, an onsite review must still be conducted.

Question 29. During a meal service observation, is a sponsor monitor required to be in the provider’s home for the entire meal service period?

Answer: Not necessarily. If the monitor has completed all of the necessary review elements, the monitor may leave. If the monitor has come to review a provider at a scheduled meal time and no one is present, the monitor can either wait for the entire meal service to verify that the provider is missing the meal service, or they can conduct a review at another nearby provider’s home and return before the end of the meal service, either to conduct the review or to verify that the provider missed the meal service.

Question 30. May sponsors claim meal types (e.g., a supper or a post-supper snack) that they do not intend to monitor?

Answer: No. Although it would be impractical for the sponsor to review each meal service at each facility every year, sponsors must provide reasonable oversight of each meal service claimed by their providers.
Review Cycle for Sponsored Facilities (and use of Review Averaging)

Question 31. If the sponsor is notified by the State licensing agency of a problem at one of its Day Care Homes, will the subsequent review count as one of the three required reviews?

Answer: Yes. It will count as long as it covers all of the required review elements.

II. Training and Other Operational Issues

Facility Training

Question 32. Please clarify the term “annual training.” Does it mean that training must be given within a 12-month period?

Answer: No. Annual training may be scheduled at slightly different times each year. The basic requirement is that, during each program year (PY), the sponsor’s key staff and providers must be trained. For example, a sponsor that conducts training in September 2006 and April 2007 is complying with the requirements because training was held during PY 2006 and PY 2007.

Question 33. Please clarify: do the new regulations cover only provider training, or are sponsors also required to attend training?

Answer: Providers and sponsors are all required to attend training. SNP provides training and technical assistance to sponsors. Provider-level training requirements are addressed in Policy Alert CACFP DCH 2006-6, New Training Requirements for Sponsoring Organizations.

Times of Meal Service and Other Changes

Question 34. Does the food stamp list consist of current participants only (i.e., providers participating at the time that the list is submitted)?

Answer: Yes.