The following are answers to questions received from sponsors who attended the February 22, 2001, Program Integrity Training conducted by Special Nutrition Programs (SNP).

**Question 1:** It is my understanding that each Sponsor must train their own Providers and that we cannot do training for other providers from other sponsorships.

**Answer:** Each Sponsor is responsible for ensuring that his/her own providers receive required training each program year (October 1 through September 30). However, the actual person who presents the training does not have to be an employee of the provider's sponsoring organization. If the Trainer is certified to conduct training (has completed the "Train the Trainer" workshop and is currently employed by a Texas CACFP DCH sponsoring organization, or is a current Nutrition Education and Training (NET) Trainer) that person may train another sponsor's providers.

Example: In October 1999, SNP began scheduling Off to a Good Start in Family Day Homes (OGS) "Train the Trainer" semi annually: once in October and once in April. A new sponsoring organization approved to participate November 1 would be required to train their providers by December 30; however they would not have the opportunity to attend OGS "Train the Trainer" until April. In this case they may contract with a certified OGS trainer.

Therefore, to meet mandatory training deadlines, the sponsoring organization

- may hire a NET Trainer (see Notice CACFP DCH 2001-6 for a list of names and telephone numbers) to give OGS to sponsor staff and providers, or
- may ask another sponsoring organization who has a certified Trainer to provide the required training. This may be a workshop for only the requesting sponsoring organization's providers or it may be for both sponsoring organizations' providers.

All arrangements for provider training must be made by the organization sponsoring the provider. A sponsor may not approach another sponsor's providers and offer to provide training.

Note: Only a NET Trainer who teaches OGS "Train the Trainer" can certify sponsor staff as Trainers.

**Costs:** If the sponsoring organization hires a NET Trainer to conduct the OGS workshop they will be responsible for all expenses and accommodations related to that workshop.

If a sponsoring organization arranges for another sponsoring organization's certified Trainer to conduct the
workshop, or to allow providers to attend a workshop that is already scheduled, the requesting sponsoring organization may not pay the other sponsoring organization or that sponsor's Trainer for any expenses that are already being paid with CACFP funds (i.e. wages, mileage, etc.). This would be a violation of IRS Based Performance Standards (see Policy Alert CACFP 97-9).

The option of hiring a NET Trainer may be more cost effective because the sponsoring organization would meet the requirement of training providers and sponsor staff at one time. Because new providers can be added on a continual basis, if the sponsoring organization arranged to use another sponsor's certified trainer, the providers needing OGS training prior to the next SNP OGS "Train the Trainer" workshop would be an ongoing commitment.

Training partnerships, as mentioned in the USDA Integrity Training presented on February 22, 2001, is a viable way to coordinate training efforts. You may wish to partner with another sponsoring organization to give providers more opportunity to attend required training. For example, if two or more sponsoring organizations in a partnership offer ten (10) OGS workshops each year, all providers from their sponsoring organizations would have twenty (20) or more opportunities to attend required training instead of ten (10). Once again, no sponsoring organization can pay another sponsoring organization for expenses already being paid with CACFP funding.

**Question 2:** I attended an infant feeding workshop during the Sponsor's Assoc. National Conf. (Albuquerque/Sept. '00). The trainer said that the food program allows 13 months past the 1st birthday to transition an infant from formula or breast milk to whole milk. My understanding is that there is a 1 month transition period past 12 months (a total of 13 months) to transition. What is the correct amount of time, and which policy (#) addresses this?

**Answer:** When a child 12 months of age is weaning from infant formula to whole cow's milk (or transitioning), meals that contain infant formula may be reimbursable for one month. During the weaning process from formula or breast milk to cow's milk, it is common practice to provide the infant with both foods at the same meal service to gradually ease the infant into accepting some of the new food. However, for children 13 months of age and older, you must have a statement from a recognized medical authority requiring infant formula to be eligible to claim the meal for reimbursement. This is in Policy Alert CACFP DCH 2000-8.

**Question 3:** Why isn't Menu Planning II an approved training for the annual mandated provider training?

**Answer:** Menu Planning II (MP2) contains advanced information intended for large organizations with cycle menus. The training material in MP2 was written for child care centers, adult day care centers, National School Lunch Program and Summer Food Service Program. Refer to the NET Workshop Synopsis (received in the most recent mailing - March 26, 2001 - NET Workshop schedule) for workshops intended for day care home providers.
**Question 4:** In Group Day Care Homes Minimum Standards, there are 2 Ratio Compliance Charts - 1 person GDCH and 2 person GDCH. According to the charts, a 1-person GDCH is actually more restrictive than a Registered Family Home. (Ex. RFH can have 4 infants and 2 preschoolers, but a GDCH 1-person can only have the 4 infants and no additional children.) Is it our responsibility to address and disallow meals according to the 1-person chart since all RFHs are able to claim more children?

**Answer:** You may not submit a claim for payment for meals or supplements that are in excess of the facility's registered/licensed capacity. You must evaluate each individual provider according to their own registration/licensing status. You may not evaluate a RFH according to a GDCH chart or evaluate a GDCH according to a RFH chart.

**Question 5:** Sponsors are getting error messages if Tier I resident children are enrolled as "non-participating" or are no longer eligible to be claimed and are dropped from the program but cannot be removed from the database for 18 months. I have e-mailed the RA person and he said he was checking into this.

**Answer:** When errors are detected in your risk analysis information submitted, you may contact the Risk Analysis Technician at (512) 483-3938 or Automation Section Y-906, Texas Department of Human Services, Special Nutrition Program, P.O. Box 149030, Austin, Texas 78714-9030, for clarification. Individual errors will be handled on a case by case basis. If errors are consistently made by multiple sponsors, a Risk Analysis Bulletin will be issued. Therefore, you should continue to contact the Risk Analysis Technician to resolve errors.

**Question 6:** Has TDHS changed its administrative review form to incorporate new USDA instructions and focus? If yes, are these available to sponsors?

**Answer:** The CACFP Day Home Contractor Administrative Review Form has not been changed.

**Question 7:** Do you realize that same count day after day, isn't unusual? Have any of the presenters observed several reviews? Do you realize some providers run a perfect program? i.e. there are never any findings.

**Answer:** Based on the results from findings of State and Federal Program reviews and from audits and investigations conducted by the Office of Inspector General, serious types of regulatory noncompliances by both sponsors and homes were detected. These noncompliances included meals claimed for absent children, meals claimed for nonexistent children and homes, and lack of documentation for meal counts and/or menu records. Based on the review findings, statistically speaking, it would be "unusual", but not necessarily improbable, to have same counts day after day. We do not presume to believe that all providers who have same counts day after day are doing something wrong. This would merely be an indicator of a potential problem. As stated in the training session, discrepancies between the day-of-review meal count and previous meal counts could trigger a follow-up review and/or parental contacts. The reviewer should look at previous meal counts for patterns such as: 100% attendance of all enrolled children each month; identical counts each day for breakfast, lunch, and snacks; claiming of large numbers of children (such as shift feeding); and claiming holidays, weekends, and suppers. You, as the sponsoring organization are responsible for using the information to determine its effect on your program operations.

Most of the Management Improvement presenters have observed and participated in reviews. However, the material presented was developed by USDA in response to national findings from State and Federal Program reviews, audits and investigations conducted by the Office of Inspector General.
**Question 8:** We have gotten word that there is a food program out there already soliciting to get providers to join their food program. Isn't open season after June 1? There are some sponsors who go to all the meetings, who read and make their providers follow all of the rules. There are some sponsors who not only don't follow rules but break big ones; like no monitoring (there is a provider in our city who never gets monitored and brags about it), and no training (providers receive certificates and don't go to the required training). Some providers don't go to training and join other food programs to get out of going to training. Where is the justice? It is like those of us who do enforce rules who are punished, as providers don't join our food programs because we are too strict.

**Answer:** You may neither recruit nor enter into a sponsorship agreement (Form 1537/Form 1542) for the next contract period with a day care home provider participating in the CACFP prior to June 1 of the current program year. The recruitment period for program year 2002 is June 1, 2001 through September 30, 2001. This includes providers currently participating with a sponsor.

Sponsors who fail to comply with basic program management requirements, such as, monitoring providers, training providers, claiming eligible meals for eligible children and disbursing provider funds are subject to progressive adverse action up to and including termination of the sponsor's contract, declaration of seriously deficient and debarment of those responsible for the deficiencies. Sponsors who are aware of specific instances of program violation should notify their Area Program Office for purposes of investigation.

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Updated: October 13, 2001