

APPEAL PROCEDURES

These procedures for appealing adverse actions taken against providers are a natural follow-on to the Corrective Action Policy of December 2002. The purpose of the appeal process is to guarantee that providers receive a fair and impartial hearing to resolve a disputed suspension and/or termination.

1. After the designated time for corrective action has passed and the provider has not shown complete resolution of the serious deficiencies described and treated during the correction period, the provider is notified by mail of the intent to terminate the contract with the sponsor. A copy of this letter shall be mailed to CDPHE-CACFP.
2. A copy of these appeal procedures will be included with the above mentioned letter to the provider
3. An appeal hearing may be requested in writing within 15 calendar days after the provider has received the letter announcing the proposal to suspend and /or terminate from Wildwood. The appeal should be acknowledged by letter from Wildwood within 10 calendar days. This letter will announce the date of the week for the appeal hearing.
4. The provider, or their representative, may submit to the appeal official written documentation to refute Wildwood's decision within 30 calendar days of receiving notice of action. The provider may review their records and documentation relating to the adverse action.
5. An independent panel consisting of up to 3 objective and impartial persons will be convened by Wildwood. Wildwood may choose to develop a special appeals board composed of former or current providers, other family day care home sponsor staff, or community or board members. Judgments made by the Board of Appeals shall be based upon documentation submitted by the day care home, by Wildwood, and on state and federal policy governing the administration of the program. The decision of the Board of Appeals is the final determination to be afforded the provider.
6. Documentation of the proceeding shall be kept on file in Wildwood's office.
7. The final written decision regarding the appeal shall occur within 45 days of acknowledgement of the appeal. A copy of the final decision will be sent to CDPHE-CACFP.
8. Providers should continue to keep records if they wish to claim for meals served during the time of the appeal process. Wildwood will pay all valid claims for reimbursement until the appeal of termination is concluded. In the case of a suspension, payment of claims will be suspended until the appeal is concluded.

If the decision to terminate and/or suspend is upheld by the Appeals Board, the provider will be placed on the national list of disqualified providers and will not be permitted to participate on any CACFP program. If the provider seeks to voluntarily terminate their agreement after receiving the notice to terminate, Wildwood will send a letter of proposed termination and disqualification. In either situation the provider will remain on the list until such time as the State agency determines that the serious deficiencies have been corrected or until seven years after your disqualification. However, if any debt relating to the serious deficiencies has not been repaid, you will remain on the list until the debt has been repaid.