

WYOCSP | Wyoming Community Services Program

Dated: November 2019
To: Community Services Block Grant (CSBG) Grantees
From: Community Services Program
Reference: CSBG Policy #4: Corrective Action, Termination, or Reduction of Funding

POLICY #4

Implementation of this policy is based on a review by the Community Services Program (CSP) that reveals a Grantee failed to:

- comply with the terms of a contract or the State Plan;
- provide CSBG services; or
- meet the State's appropriate standards, goals, or other requirements, including performance objectives and Organizational Standards.

If such failure(s) occur, at the discretion of CSP, the following are the four levels of corrective action that the CSP may use when a Grantee is found to be in noncompliance:

- 1. Training and Technical Assistance (T/TA):**
 - a. Including, but not limited to, consultation, discussion, and collaboration with CSP or other credible sources of information to ensure the improvement and/or resolution of the deficiency or deficiencies.
- 2. Technical Assistance Plan (TAP):**
 - a. Including, but not limited to, prioritizing the need area(s) pertaining to Organizational Standards and providing targeted support to such needs, utilizing webinars, workshops, and other interventions aimed at correcting the deficiency or deficiencies deemed appropriate by CSP.
- 3. Corrective Action Plan (CAPL):**
 - a. Including, but not limited to, addressing findings that were found during either a desk monitoring or on-site monitoring visit conducted by CSP staff and providing targeted support to such needs, utilizing webinars, workshops, and other interventions aimed at moving the Grantee or its Sub-grantees into compliance.
- 4. Quality Improvement Plan (QIP):**
 - a. Including, but not limited to, identifying specific actions that will be taken to correct the deficiency or deficiencies within a predetermined and reasonable

period of time, as determined by the CSP. A QIP will only be provided if the Grantee were not able to comply with their TAP or CAPL.

PROCEDURE

Upon the completion of on-site and/or desk monitoring activities, the CSP will complete a formal monitoring report outlining any findings the Grantee may have in relation to any areas of monitoring. If it is determined that the grantee has failed to comply with the terms of a contract or the State Plan; provide CSBG services; or meet CSP's appropriate standards, CSP may require the receipt of Training and Technical Assistance (T/TA) beyond that of what is contractually required or issue a formal Corrective Action Plan (CAPL). An explanation will be provided as to why the CSP has determined the Grantee is not in compliance. If the CSP decides to issue a CAPL, the Grantee will create a plan in partnership with CSP that will move them into compliance. The Grantee will determine both a timeline and proposed plan for compliance in their CAPL that the CSP will then approve, provided both the timeline and proposed corrective action is reasonable. The CSP will monitor the completion of the CAPL through desk monitoring and on-site monitoring activities, or both. Once the CAPL is complete and it is determined that no further action is needed, the CAPL will be deemed completed.

Upon the completion of monitoring Grantee Organizational Standards, Technical Assistance Plans (TAP) will be issued to any Grantee who failed to properly meet an Organizational Standard. An explanation will be provided as to why the CSP has determined the Grantee is not in compliance. The CSP will create a plan in partnership with the Grantee that will move them into compliance. TAPs will be expected to be resolved, or a plan for resolution in place, on or before the CSP determined date. The CSP will monitor the completion of the TAP through desk monitoring and on-site monitoring activities, or both. Once the TAP is complete and it is determined that no further action is needed, the TAP will be deemed completed.

If the Grantee has been issued either a CAPL or TAP, or both, and were not successful in correcting the deficiency or deficiencies, the CSP may issue a Quality Improvement Plan (QIP) to the Grantee. The CSP will determine both corrective action and a timeline not exceeding sixty (60) days for completion. Within thirty (30) days of issuing a QIP, the CSP will prepare and submit a report to the United State Department of Health and Human Services, Office of Community Services (HHS/OCS) describing the rationale for issuing a QIP, including which opportunities for corrective action were previously given.

If the Grantee actively fails to comply with and correct the deficiencies identified in the QIP, CSP will, after providing adequate notice and an opportunity for a hearing, initiate proceedings to terminate the designation of, or reduce the funding of the Grantee, as appropriate, in accordance with CSBG Information Memorandum No. 116.

Before terminating or reducing funding, CSP must determine that "cause" exists, and, if the Grantee so requests, submit the decision to HHS/OCS for review. The HHS/OCS must complete the review within ninety (90) days of receiving necessary materials from CSP; otherwise CSP's

determination becomes final. For purposes of both funding reductions and termination, “cause” exists when the Grantee has not complied with a state requirement or the terms of an agreement, contract, or the State Plan.

For purposes of making a determination in accordance with the CSBG Act with respect to:

- 1) a reduction of funding, the term “cause” includes:
 - a) a state-wide redistribution of funds provided through CSBG to respond to:
 - i) the results of the most recently available census or other appropriate data;
 - ii) the designation of a new Grantee(s); or
 - iii) severe economic dislocation
- 2) a termination of funding, the term “cause” includes:
 - a) failure of the Grantee to comply with the terms of an agreement or the State Plan, or to meet a State requirement, as also described in section 678C(a) of the CSBG Act.

If CSP reduces or terminates funding without providing the required hearing or HHS/OCS review, HHS/OCS may directly fund the Grantee until the violation is corrected. To the extent that this happens, the next fiscal year’s allocation to CSP will be reduced by an amount equal to the funds provided to the Grantee.

