

Vermont Agency of Education Child Nutrition Programs Late Claim for Reimbursement Procedure

Purpose and Background

The purpose of this procedure is to outline the Vermont Agency of Education Child Nutrition Program's procedure the approval and payment of late claims for reimbursement.

Per the [Richard B. Russell National School Lunch Act](#):

"Except as provided in paragraph (2), the Secretary may provide reimbursements for final claims for service of meals, supplements, and milk submitted to State agencies by eligible schools, summer camps, family day care homes, institutions, and service institutions only if- (A) the claims have been submitted to the State agencies not later than 60 days after the last day of the month for which the reimbursement is claimed."

Program regulations in 7 CFR 210, 7 CFR 215, 7 CFR 220, 7 CFR 225, and 7 CFR 226 specify that a final claim for reimbursement shall be submitted to the State Agency (SA), or Food and Nutrition Services regional office (FNSRO) where applicable, not later than 60 days following the last day of the full month covered by the claim. Claims not submitted within 60 calendar days shall not be paid with program funds unless FNS determines that an exception should be granted or is otherwise authorized by FNS, as outlined in this procedure.

Complete federal guidance on this topic is found in [Guidance for Local and State Agencies on 60-Day Claim Submission and 90-Day Reporting Requirements for Child Nutrition Programs](#).

Please refer to the [60-Day Deadline Dates for Claims for Reimbursement](#) for claim submission deadlines.

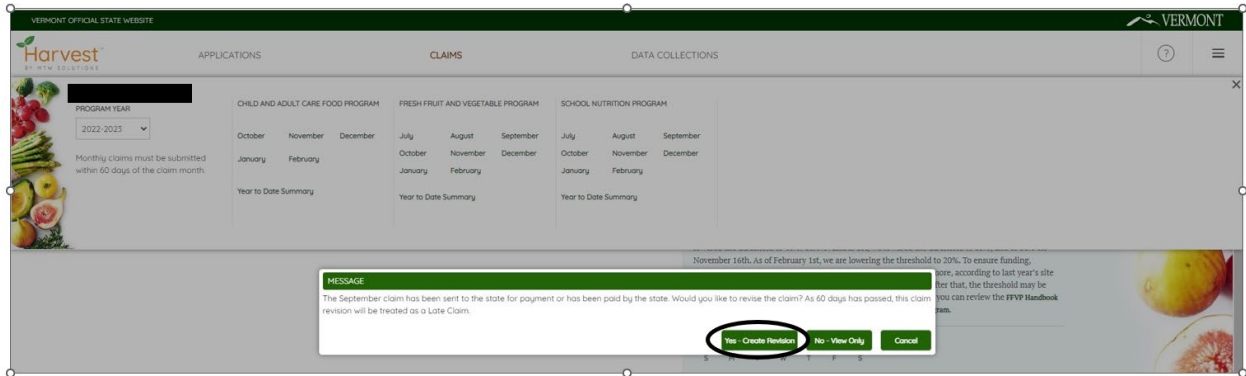
Harvest Child Nutrition System

The late claim process is handled entirely through the [Harvest Child Nutrition System](#).

When submitting a new claim beyond the 60 day deadline, the following message will appear "The claim you are attempting to create is 60 days past the claim month, [month]. Do you wish to continue?" If the user selects "Yes", they will be allowed to enter claim details. Before being allowed to submit the claim, the Acknowledgement and Certification tab will require the user to select the reason for the late claim, and provide the applicable documentation or corrective action plan.

To revise a claim for reimbursement beyond the 60 day deadline, select the applicable claim and the following message will appear, "The [month] claim has been sent to the state for payment or has been paid by the state. Would you like to revise the claim? As 60 days has passed, this claim

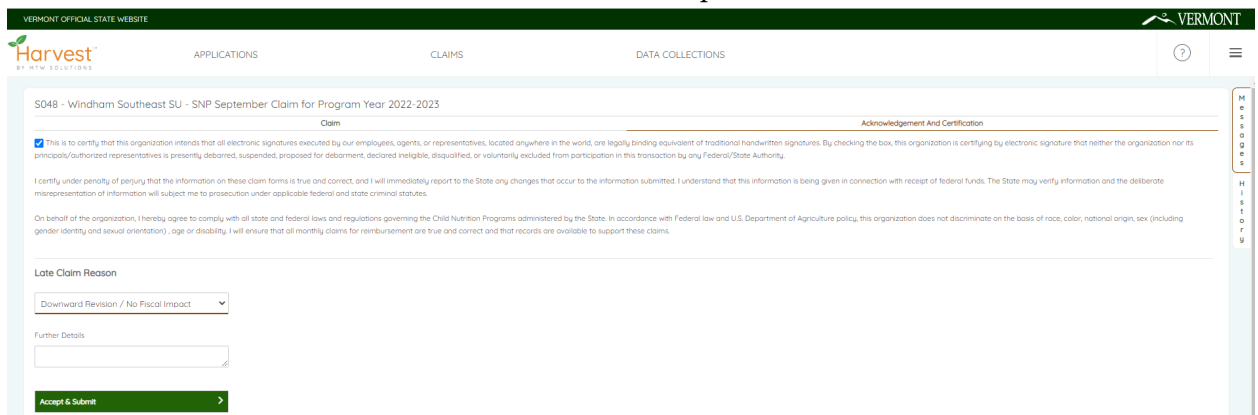
revision will be treated as a Late Claim.” If you would like to continue, select “Yes - Create Revision”.



Make the necessary changes to the claim for reimbursement. Before being allowed to submit the revision, the Acknowledgement and Certification tab will require the user to select the reason for the late claim, and provide the applicable documentation or corrective action plan.

Downward Revision/No Fiscal Impact

1. Claim revisions can be submitted at any time (including past the 60-day deadline) by the Local Agency when the total enrollment, enrollment by income category, number of meals or snacks, and/or costs reported on the revised claim results in a downward adjustment in the reimbursement value of the claim OR when revisions do not result in an increase in reimbursement. After the necessary changes have been made, navigate to the Acknowledgement and Certification tab and for the Late Claim Reason, select “Downward Revision/No Fiscal Impact”.



Upward Revisions or New Claims

For new claims or late claim revisions resulting in an upward adjustment to the claim for reimbursement, in the Acknowledgment and Certification tab, for the Late Claim Reason, select one of the following three options:

- One Time Exception

- USDA Good Cause
- Upward Adjustment from Audit or Admin Review

VERMONT OFFICIAL STATE WEBSITE

Harvest BY HTW SOLUTIONS

APPLICATIONS CLAIMS DATA COLLECTIONS

S048 - Windham Southeast SU - SNP September Claim for Program Year 2022-2023

Claim Acknowledgement And Certification

This is to certify that this organization intends that all electronic signatures executed by our employees, agents, or representatives, located anywhere in the world, are legally binding equivalent of traditional handwritten signatures. By checking the box, this organization is certifying by electronic signature that neither the organization nor its principals/authorized representatives is presently debarred, suspended, proposed for debarment, declared ineligible, disqualified, or voluntarily excluded from participation in this transaction by any Federal/State Authority.

I certify under penalty of perjury that the information on these claim forms is true and correct, and I will immediately report to the State any changes that occur to the information submitted. I understand that this information is being given in connection with receipt of federal funds. The State may verify information and the deliberate misrepresentation of information will subject me to prosecution under applicable federal and state criminal statutes.

On behalf of the organization, I hereby agree to comply with all state and federal laws and regulations governing the Child Nutrition Programs administered by the State. In accordance with Federal law and U.S. Department of Agriculture policy, this organization does not discriminate on the basis of race, color, national origin, sex (including gender identity and sexual orientation), age or disability. I will ensure that all monthly claims for reimbursement are true and correct and that records are available to support these claims.

Late Claim Reason

Please Select a Reason

- One Time Exception
- USDA Good Cause
- Upward Adjustment from Audit or Admin Review

Accept & Submit

One Time Exception

Note: If the Local Agency has already used the One Time Exception for the 36-month period, the system will not show “One Time Exception” as an option in the Late Claim Reason dropdown menu. The system will state “The next available one time exception will be on [month/year]”.

1. If the lateness of the claim or upward revision is due to circumstances within the organization’s control, the State agency may grant a One Time Exception once every 36 months for each of the program types (NSLP, FFVP, CACFP, SFSP, etc.), if a corrective action plan is submitted and approved. For all VT Child Nutrition Programs, the 36-month window begins with the last claim month for which a one-time exception was approved.
2. The One Time Exception can only apply to a single month’s claim, even if more than one month’s claim was late for the same reason.
3. Reasons or circumstances for a late claim submission within the organization’s control include but are not limited to: an administrative or clerical error, or failure of the institution to make adequate provisions to ensure that it can meet its obligation to submit the claim before the deadline. Examples are personnel changes, such as the person who normally submits the claim quit or was fired, inadequate staffing, lack of training for personnel, or time needed to gather and calculate the claim. Institutions should have back-up systems in place to ensure that requirements are met. In general, reasons are within the control of a Local Agency if a corrective action plan can be developed to ensure against reoccurrence of the lateness.
4. In Harvest, once “One Time Exception” is selected as the reason for the late claim, the user will be prompted to answer the following questions that make up the Corrective Action Plan:

- Indicate why the claim was not submitted within the required 60-day timeline.
 - What corrective actions or procedures will be implemented to ensure claims will be submitted within the required timeline?
 - Who will be responsible for implementing the corrective action or procedures?
 - When and how will the corrective action or procedures be implemented to ensure that the issue is permanently corrected?
5. The State Director of Child Nutrition Programs will review the submitted corrective action plan and either approve the use of the one-time exception or return the plan for changes.

Note: Before requesting a One Time Exception, institutions should evaluate whether the late claim/upward revision is large enough (in relation to other monthly claims) to justify “using up” the exception for the next 36 months or whether the exception should be “saved” for possible future use.

USDA Good Cause

1. A late claim submission is considered outside a Local Agency’s control if it was due to a situation or occurrence which could not have reasonably been anticipated or provided for by the Local Agency AND it can be shown that the situation or occurrence was a direct cause of the failure of the Local Agency to submit its claim by the required deadline. Examples of reasons that would be allowed under this exception include records that were destroyed by accident or natural disaster such as flood, fire, and vandalism, or serious illness or injury of the person responsible for submitting the claim for reimbursement.
2. If there is more than one late claim/upward revision and there are different reasons for each, a separate request must be submitted for each cause. If multiple claims/upward revisions are late for a single reason, one request may be submitted for the multiple late claims/upward revisions.
3. In Harvest, once “USDA Good Cause” is selected as the reason for the late claim, the user will be prompted to upload a letter requesting this exception. The letter must be on the Local Agency (SFA/Sponsor) letter head, and must be signed by the person who signed the Program agreement or other authorized representative of the institution. The written request for an exception for late claim resulting from circumstances beyond the control of the Local Agency must include:
 - The name and agreement number for the Local Agency;
 - Each month for which an upward adjustment is requested;
 - An explanation of each upward adjustment and why it was beyond the control of the Local Agency. If the request includes two or more adjustments

and attributes them to different reasons, identify separately the effect of each reason;

- A detailed description of the events and circumstances that prevented the claim/upward adjustment from being submitted within the 60-day deadline.

If the letter covers a request for multiple months, the same letter can be attached to each month's late claim.

4. The State agency will review the request. If the State agency determines that the lateness was within the control of the organization, the claim will be returned with notice sent stating that the request will not be submitted to the United States Department of Agriculture (USDA) Food and Nutrition Service (FNS) Regional Office, and the late claim exception will not be granted. Organizations submitting requests for the SFSP or CACFP may appeal a decision not to forward the request to the USDA FNS Regional Office according to 7 CFR §225.13(a) and §226.6(k)(2)(x), respectively. Please refer to the [SFSP Appeals Process](#) and the [CACFP Appeal Procedure](#).
5. If it is clear that the late claim/upward revision was due to circumstances beyond the control of the Local Agency, the request will be forwarded to the USDA FNS Regional Office for review.
6. If approved, the claim will be forwarded for processing. If the exception is not approved, the Local Agency will be allowed to request a One Time Exception for one month's claim, if it has not received an exception for that program in the previous 36 months.

Upward Adjustment from Audit or Admin Review

1. Upward claim revisions resulting from State agency administrative review findings or independent audits are permitted without requiring a one-time exception or USDA approval. In Harvest, once "Upward Adjustment from Audit or Admin Review" is selected, the organization must upload the applicable audit or review report or other documentation showing the results of the audit or review.
2. When an upward adjustment is calculated as part of Fiscal Action, the State agency will process the adjustment, and no action is needed from the organization.

Nondiscrimination Statement

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at:

<https://www.usda.gov/sites/default/files/documents/ad-3027.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. **mail:**
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
2. **fax:**
(833) 256-1665 or (202) 690-7442; or
3. **email:**
program.intake@usda.gov

This institution is an equal opportunity provider.