



Connecting Older Adults with Community-based Resources and Options

Policy/Procedure Name: Performance Deficiencies of Grantees

Policy: AgeOptions will take disciplinary action when a funded agency (“Grantee”) fails to meet productivity and performance standards as outlined in AgeOptions Notifications of Grant Award; Policies and Procedures; Requirements and Assurances; Standards and Definitions; and Requests for Proposals.

The disciplinary procedure describes three pathways:

1. Path 1: Notice of Deficiency, which may lead to Probation and Termination
2. Path 2: Notice of Suspension, which may lead to Termination
3. Path 3: Immediate Termination

Path 1	Path 2	Path 3
Notice of Deficiency <i>which may lead to</i> Probation <i>which may lead to</i> Termination	Notice of Suspension <i>which may lead to</i> Termination	Immediate Termination

Definitions:

Performance Deficiency: Inability of an agency to meet productivity and performance standards as outlined in AgeOptions Notifications of Grant Award; Policies and Procedures; Requirements and Assurances; Standards and Definitions; and Requests for Proposals.

Corrective Action Plan (CAP): A grantee’s written plan of action, shall include the following: the identification of all problems/deficiencies to correct; time lines to correct problems/deficiencies as identified by the Area Agency on Aging; deadlines to complete all tasks identified by the Area Agency on Aging; identification of the person(s) who will be responsible for addressing each problem/deficiency.

Probation Corrective Action Plan (PCAP): A corrective action plan written by AgeOptions, and issued by AgeOptions with any Notice of Probation.

Suspension Corrective Action Plan (SCAP): A corrective action plan written by AgeOptions, and issued by AgeOptions with any Notice of Suspension.

Critical Issue: Issue(s) related to evidence of misappropriation of funds and/or evidence of criminal actions of fraud, or placing clients at immediate risk.

Grantee: An Agency funded by AgeOptions regardless of the nature of the award type.

Hearing: An appeal hearing as described in the AgeOptions Appeals Procedures.

Procedure:

Path 1

Notice of Deficiency

1. AgeOptions identifies a problem and determines whether it is a “Critical Issue” (see Definitions above).
2. If the problem is identified as a “Critical Issue,” proceed to Path 2 below. For all other problems, continue to Step #3.
3. AgeOptions will provide correspondence and supporting documentation to the Grantee identifying the area(s) of deficiency and actions suggested or/and required to correct the problem/deficiencies. In the notice, AgeOptions may require immediate action to correct a stated problem.
4. The Grantee must respond to such notice within fifteen (15) calendar days of receipt with a Corrective Action Plan (“CAP”). During this time period, the Grantee and AgeOptions staff are free to discuss steps for resolving the identified problem(s).
 - a. If the Grantee does not submit a CAP within the required time, the Grantee will immediately be placed on Probation (see Probation section below).
5. If AgeOptions receives the CAP within the required time frame, AgeOptions will review the Grantees CAP acceptance and approval.
 - a. If AgeOptions does not accept the CAP, the Grantee may be placed on Probation (see Probation section below).
6. Once AgeOptions accepts the CAP, the Grantee must successfully complete the CAP within the time frame provided by AgeOptions and provide AgeOptions with evidence of compliance with the CAP, including, but not limited to, written documentation.
7. If the Grantee successfully completes the CAP by the established deadlines, AgeOptions will issue to the Grantee a written statement of non-deficiency.
 - a. If the Grantee does not successfully execute the CAP by the established deadlines, the Grantee may, at AgeOptions discretion, be placed on Probation (see Probation section below).

Probation

1. As described in the Notice of Deficiency steps 4a, above, if the Grantee fails to respond to the notice or if the response is determined insufficient for correction of the problem, the Grantee shall be placed on probation by AgeOptions.
2. As described in the Notice of Deficiency steps 5a and 7a above, if the Grantee fails to respond to the notice or if the response is determined insufficient for

correction of the problem, the Grantee may be placed on probation by AgeOptions. AgeOptions may issue a Notice of Probation that includes a statement of the problem and a Probation Corrective Action Plan (PCAP) that includes a time table for completion and correction of the problem.

3. AgeOptions shall issue a Notice of Probation that includes a statement of the problem and a Probation Corrective Action Plan (PCAP) that includes a time table for completion and correction of the problem.
 - a. The Grantee may request that AgeOptions conduct a hearing to permit the Grantee to appeal their probationary status. (See Appeals Procedures.)
 - i. Except that a Grantee who is placed on probation for not responding to the AgeOptions Notice of Deficiency may not request an appeal to revoke their probationary status.
 - b. If the appeal hearing results in the Grantee's probationary status being rescinded, AgeOptions will issue to the Grantee a written statement revoking the Notice of Probation.
 - i. Grantees may still be expected to submit and execute a Corrective Action Plan (CAP) if it is determined that there are outstanding deficiencies.
 - ii. If no deficiencies exist, or if they have been resolved at the time of the appeal hearing, the Grantee will be issued a statement of non-deficiency.
4. If the appeal hearing results in the Grantee's probationary status **not** being rescinded, or if no appeal hearing is requested, then the Grantee must file regular (e.g. daily, weekly, monthly, quarterly or pre-scheduled, etc.) progress reports on the corrective actions as prescribed in the PCAP.
5. When the Grantee successfully completes the PCAP by the established deadlines, AgeOptions will issue to the Grantee a written statement of non-deficiency indicating the expiration of the probationary period.
6. If the Grantee does not successfully execute the PCAP by the deadlines, AgeOptions may terminate the award (see Termination section below).

Termination

1. If the Grantee fails to execute a Probation Corrective Action Plan (PCAP), then AgeOptions may issue a thirty (30) calendar-day Notice of Termination, including an Appeal Hearing to an Independent Hearing Officer and procedures for Appeal to the Illinois Department on Aging. (See Appeals Procedure.)

Path 2

Suspension

1. AgeOptions shall issue a Notice of Suspension if a critical issue has been identified by AgeOptions. The Notice of Suspension will state the reason why the Grantee has been suspended and identify if the Grant Award is suspended in whole or in part.

- a. The Grantee must continue the services under the program to existing clientele during suspension.
 - b. New obligations of federal funds and or match which are incurred by the Grantee during the suspension period will not be allowed unless expressly authorized by AgeOptions in the notice of suspension or an amendment to it.
 - c. Necessary and otherwise allowable costs which the Grantee could not reasonably avoid during the suspension period may be allowed, if they result from obligations properly incurred by the Grantee before the effective date of the suspension and not in anticipation of suspension or termination, at the discretion of AgeOptions.
2. If AgeOptions has evidence of misappropriation of funds or criminal actions of fraud, or that clients have been placed in immediate risk through the actions or negligence of the Grantee, the Grantee shall be placed on immediate suspension through action of AgeOptions.
 - a. AgeOptions shall issue a Notice of Suspension that includes a statement of the problem, a Suspension Corrective Action Plan (SCAP) that includes a time table for completion and correction of the problem.
 - b. The Grantee will also be notified of the date of a scheduled hearing to be coordinated by AgeOptions within thirty (30) calendar days of the discovery of such incidents.
 - i. An act to suspend a Project is appealable to the Illinois Department on Aging only after a Hearing is conducted by AgeOptions.
3. If the hearing results in the Grantee's suspended status being rescinded, AgeOptions will issue to the Grantee a written statement revoking the Notice of Suspension.
 - a. Grantees may still be expected to submit and execute a Corrective Action Plan (CAP) if it is determined that there are outstanding deficiencies.
 - b. If no deficiencies exist, or if they have been resolved at the time of the appeal hearing, the Grantee will be issued a statement of non-deficiency.
4. If the hearing results in the Grantee's suspension status **not** rescinded, then the Grantee must file regular (e.g. daily, weekly, monthly, quarterly or pre-scheduled, etc.) progress reports on the corrective actions as prescribed in the SCAP.
5. When the Grantee successfully executes the SCAP by the established deadlines, AgeOptions will issue to the Grantee a written statement of non-deficiency.
6. If Grantee does not successfully execute the SCAP by the deadlines, AgeOptions may terminate the award (see Termination section below).

Termination

1. If the Grantee fails to execute a Suspension Corrective Action Plan (SCAP), then AgeOptions may issue a thirty (30) calendar-day Notice of Termination, including an Appeal Hearing to an Independent Hearing Officer and procedures for Appeal to the Illinois Department on Aging. (See Appeals Procedure.)

Path 3

Immediate Termination

1. Notwithstanding the steps outlined above, if AgeOptions determines that the problems with a Grantee are critical and recurring in nature and require more immediate action than the foregoing allows, AgeOptions will provide a forty-five (45) calendar-day written Notice of Termination, including an Appeal Hearing to an Independent Hearing Officer and procedures for Appeal to the Illinois Department on Aging.

Written by:

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Revised by: Paula Bartolozzi

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7/28/97, 06/15/15

Related forms: