

Examples of Allowable Uses of Civil Money Penalty (CMP) Reinvestment Funds

1. **Resident or Family Councils:** CMP funds may be used for projects by not-for-profit resident advocacy organizations that:

- Assist in the development of new independent family councils;
- Assist resident and family councils in effective advocacy on their family member's behalf;
- Develop materials and training sessions for resident and family councils on state implementation of new federal or state legislation.

Maximum project funding per nursing home-\$5,000 (one-time funding)

2. **Consumer Information:** CMP funds may be used to develop and disseminate information that is directly useful to nursing home residents and their families in becoming knowledgeable about their rights, nursing home care processes, and other information useful to a resident. For example, developing educational materials (e.g., flyers, brochures, booklets, web-based materials, etc.) to promote awareness of the unnecessary use of psychotropic medications, facility requirements or residents' rights related to discharge, advance care planning, etc. The goal of these materials is to help consumers understand the risks associated with administering these medications, raise awareness of their rights to consent to treatments, and promote the use of nonpharmacological interventions to improve the quality of life and care for residents diagnosed with dementia.

Maximum project funding per nursing home-\$5,000 (one-time funding)

3. **Training to Improve Quality of Care:** CMP funds may be considered for training in facility improvement initiatives that are open to multiple nursing homes, including joint training of facility staff and surveyors, technical assistance for facilities implementing quality assurance programs, training for resident and/or family councils, LTC ombudsman or advocacy organizations and other activities approved by CMS. Training topics include, but are not limited to:

- Alzheimer’s Disease and Dementia,
- Wound Care,
- Patient Safety,
- Trauma Centered Care,
- Pain Management,
- Cultural Sensitivity,
- Culture Change
- Person-Centered Care
- Safe Medication Management
- Oral Health
- Non-Pharmaceutical Solutions
- Falls Education

Maximum Project Funding Per Nursing Home Per Year -\$5,000, (max of \$15,000 for a three-year project).

NOTE: The maximum allowable amount for training per year is the total allowed for any and all training during a year. Funding is dependent upon each state’s balance of CMP funds available. CMS will also work with states separately on state-sponsored trainings, and these training will not impact each facility's maximum amount (e.g., a facility can attend a state-sponsored training and still apply for \$5,000 for training).

Mental and Behavioral Health Support

CMS is committed to improving the quality of care for residents with underlying serious mental illness (SMI) and/or substance use disorder (SUD). CMS has partnered with SAMHSA to launch a national Center of Excellence which provides technical support and training to nursing homes to help care for individuals with SMI and/or SUD. Nursing homes are encouraged to pursue accessing SAMHSA’s training and technical assistance, as CMS will not accept applications for these topics. To obtain information and access to this program, visit www.nursinghomebehavioralhealth.org.

4. **Activities to Improve Quality of Life:** CMP funds can be used for projects to foster social interaction, movement, and minimize loneliness. Projects include, but are not limited to:
 - Horticulture/Gardening
 - Music Therapy
 - Animal Therapy Including Robotic Pets
 - Activities and games fostering movement and function- This may include activities (e.g., Tai Chi), group games (e.g., bingo with movement components), or technology-assisted

games (e.g., Nintendo Wii movement games). Note, CMS will not fund complex, high-cost technology, such as virtual reality, artificial intelligence, or simulation projects.

- Reading and Memory Interventions
- Crafting

Maximum Project Funding Per Nursing Home Per Year for each topic -\$5,000, (max of \$15,000 for a three-year project)

5. **CMS Developed Global Public Health Emergency (PHE) applications:** CMS developed three applications to facilitate visitation and prevent the spread of Coronavirus Disease 2019 (COVID-19) infection. These applications will continue beyond the PHE to allow all Medicare and Medicaid participating nursing homes access to the products. Nursing Homes approved for these specific application funds are being tracked. The three applications are:

- **Communicative Technology:** CMP funds are allowed to purchase tablets and accessories such as screen protectors, headphones, etc. Note: Items listed on the application cannot be placed on the standard CMP application for a home that has received funding through this special application.

Maximum project funding per nursing home-\$3,000 (one-time funding)

- **Visitation I:** CMP funds are allowed to purchase funding for tents and plexiglass (or similar product).

Maximum project funding per nursing home-\$3,000 (one-time funding)

- **Visitation II:** CMP funds are allowed to purchase portable fans and portable room air cleaners with high-efficiency particulate air (HEPA, H-13 or -14) filters to increase or improve air quality. However, replacement filters cannot be purchased with these funds, as they are a prohibited expense.

Maximum project funding per nursing home-\$3,000 (one-time funding)

For the list of nursing homes receiving funding for the above applications, please review the CMP Projects funded by Calendar Year folder located at this link on the CMS Civil Money Penalty Reinvestment web page: <https://www.cms.gov/medicare/provider-enrollment-and-certification/surveycertificationgeninfo/downloads/state-cmp-reinvestment-projects-funded-by-calendar-year.zip>.

6. **Emergency Use for States:** States can use CMP funds for assistance to support and protect residents of a facility that closes (voluntarily or involuntarily) or is decertified. Funding cannot be used for meeting regulatory requirements (e.g., see 42 CFR §483.73 Emergency preparedness). Other allowable uses for emergency funds include, but are not limited to:

- Resident expenses such as food, supplies, medical equipment, or medications necessary during the transfer and relocation process;
- Expenses for seeking resident guardianship for the purpose of transfer, if required;
- State insurance expenditures, workmen's compensation, general liability insurance;
- Resident and family interactions to discuss transfer;

- Facility tours
- Information for residents about facilities and working with facilities to discuss residents who may be transferring;
- Staff salaries;
- Receivership costs;
- Future vendor payments;
- Medical records copying; and,
- Transportation expenses if needed for residents and families to visit other facilities.

Other requested expenses not listed above must be reviewed by the CMS Location to determine if they are appropriate and allowable or prohibited. Please see the Civil Money Penalty Reinvestment State Plans section (§7535.2) for further detail. States must obtain approval from their respective CMS Locations in order to use Emergency Use funds.

7. **Administrative Use for States:** CMP funds can be requested by the state for certain costs of administering the CMP program as part of the annual CMP State Plan process. For example, states may request funds for personnel required to solicit and review CMP Applications. The request should include adequate detail and justification for the requested amount including position descriptions and the breakdown of salary and benefits for each position.

8. **Travel Costs**

Travel costs are permitted when it is required to implement the project and must not exceed the maximum funding per category. Travel expenses must be reasonable. Examples of reasonable rates include but are not limited to the published U.S. government allowance rates (available from the www.gsa.gov website) for mileage and per diem; and standard commercial rates for airfare. Nursing Homes staff are not able to apply for travel costs. Travel for state staff will be evaluated with each application.