



Civil Money Penalty Reinvestment Program

101

**North Carolina Culture Change Coalition
NC Dept of Health & Human Services**

2711 Mail Service Center
Raleigh, North Carolina 27699-2711
www.ncculturechangecoalition.org



Brandi Jordan, Civil Money Penalty Fund Manager
Division of Health Service Regulation,
Nursing Home Licensure & Certification Section

NC Department of Health and Human Services
Office: 919.937.7459
brandi.jordan@dhhs.nc.gov

Alice Carroll, Lead Grant Reviewer
North Carolina Review Team
North Carolina Culture Change Coalition

What is a Civil Monetary Penalty?

Civil Money Penalties (CMPs) are financial sanctions imposed on nursing homes failing to comply with federal/state regulations. These penalties serve as a tool to ensure facilities meet the required standards of care and safety for residents. CMPs can result from a variety of violations, such as inadequate staffing, poor infection control practices, failure to prevent abuse/neglect, and other deficiencies compromising resident health/well-being. Fines vary in amount depending on severity and frequency of the violations and can be levied daily until the issue is resolved.





Civil Monetary Penalties are imposed on SNFs that fail to comply with State & Federal Regulations.



42 CFR 488.433 requires that 90% of monies collected be returned to the responsible State Agency and used for activities that protect and improve the quality of life or care for SNF residents.

Eligible SNFs or organizations can apply for CMP funding by submitting the appropriate application to the State Agency. If funding is awarded by CMS, the organization will enter into a contract with NCDHHS



State Agencies are responsible for overseeing these funds. This includes the review of applications for CMP funding and the monitoring of projects approved by CMS

North Carolina
currently has a CMP
Fund Balance of
\$38,587,734



Who Oversees CMPPRP?

-
- State Agencies are responsible for the oversight of CMP-funded projects. A few of the things that the State Survey Agency is responsible for:
 - Educating key stakeholders about CMP funding and how to apply
 - Acting as a liaison between the SSA and CMS
 - Receiving and reviewing CMP applications and assisting applicants in getting their applications ready to be reviewed by CMS
 - Overseeing active CMP-funded projects, including but not limited to
 - Quarterly and annual monitoring of projects to ensure that they stay within the guidelines set forth by CMS as well as their NCDHHS contract
 - Providing reports to CMS
 - Approval/denial of reimbursement requests for active project
 - Assisting in the development of contracts between CMP awardees and NCDHHS

What is the North Carolina Culture Change Coalition?



- The North Carolina Culture Change Coalition is the oldest continuously serving culture change organization in the United States and serves as NC's principal organization for long-term culture change in nursing homes. It focuses on:
 - *educating* long-term care providers for enhancing the environments in which they operate
 - *mentoring* homes that wish to apply for grants to develop their home's enhancement projects
 - *represent* the State's regulatory interests in long-term care

What is Culture Change?

Quality of care has been an issue in nursing homes for decades. The culture change movement attempts to transition nursing homes from health care institutions to person-centered homes.

- Resident directed care and activities
- A more home-like environment
- Relationships with staff, residents and families, as well as the community
- Staff empowerment and satisfaction
- Less management-driven and more resident-driven



Examples of Culture-Change Initiatives

Eden Alternative – began as a grant-funded project in a single nursing home; initiative seeks to redefine how we view the aging process and how we support individuals as their abilities change <https://www.edenalt.org/>

Pioneer Network – helping elders feel at “home” wherever they live by providing living spaces that afford privacy and personalization, nurturing relationships between caregivers and residents, and providing support to care partners <https://www.pioneernetwork.net/>

Well-Spring Model – deinstitutionalization of nursing homes and personalization of care; emphasizes person-centered care



Live Music Virtually or In-Person
Therapeutic Musicians of Coastal Carolina
NC CMP-funded project 2021-2024

How NCCCC & the State Agency are Connected

State Agencies...

- Promote the use of CMP funding to bring culture-change initiatives to certified nursing homes
- Receives CMP grant applications for review/approval prior to their submission to CMS
- Provides monitoring to CMP funded projects to ensure that they meet regulatory guidelines and are meeting the performance standards and requirements of the contract between the grantee and NCDHHS.

NCCCC...

- Provides education regarding culture-change initiatives and the use of CMP funds to implement these in certified nursing homes
- Houses the NC Grant Review Team, which reviews CMP applications, provides feedback, and decides whether applications will be forwarded to CMS
- Acts as a liaison between culture-change organizations, such as Pioneer Network, and the State Agency to stay up-to-date with relevant information and to provide updates from NC to these organizations.

North Carolina Culture Change Coalition

Transforming care settings into vibrant and vigorous environments, thereby improving the quality of life for residents and staff

Upcoming Events



[CMP Reinvestment Program 101 Webinar](#)

The Blog



Check out the latest blog post!

Important Info



NC CMPRP Fund Balance, Application links and more...





North Carolina Culture Change Coalition

404 likes • 413 followers



Professional dashboard

Edit

Advertise

- Posts
- About
- Mentions
- Reviews
- Reels
- Photos
- More

Intro

NC's principle organization for supporting long-term culture change within nursing homes.

Edit bio



What's on your mind?

Photo/video

Reel

Live video

“Never believe that a few caring people can't change the world.
For, indeed, that's all who ever have.” - Margaret Mead

www.ncculturechangecoalition.org



North Carolina Culture Change Coalition

NC's principle organization for supporting long-term culture change within nursing homes.

Education · 32 followers · 11-50 employees



Stevie & 22 other connections follow this page

[Message](#)

[Following](#)



[Home](#)

[About](#)

[Posts](#)

[Jobs](#)

[People](#)

STATE GRANTS APPLICATION

Who can and who cannot apply?

Anyone (nursing home, organization) can apply for CMP funding, provided that the funds are used for CMS-approved projects to protect or improve quality of life for residents; organizations must be qualified and capable of carrying out the intended project. You cannot apply for a CMP project if there is a conflict-of-interest relationship with the intended recipient or if the applicant or intended recipient is already being paid by state or federal funding for the same services.

What types of projects will CMP funding pay for?

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.

What types of projects will CMP funding pay for?

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.



What types of projects will CMP funding pay for?

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

What types of projects will CMP funding pay for?

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



Funding Caps

CMS provided information about funding caps for each type of funding in the QSO-23-23-NHs. It's important to reiterate these caps and the duration of time funding is available.

Allowable Use of CMP Funding	Maximum Allowed	Duration
Resident or Family Councils	\$5,000	One-Time Funding
Consumer Information	\$5,000	One Time Funding
Training to Improve Quality of Care	\$5,000	Annually per facility (maximum of 3 years)
Activities to Improve Quality of Life	\$5,000	Annually, per topic, per facility (maximum of 3 years)

What types of things will CMP funding not cover?

- **Conflict of Interest Prohibitions** - such projects raise the appearance of a conflict of interest where the levy of future CMPs could be construed to be done for the purpose of raising revenue rather than for the statutory purpose of deterring or sanctioning poor quality.
- **Duplication:** States may not use CMP funds to pay entities to perform functions for which they are already paid by State or Federal sources.
- **Capital Improvements** - Federal and State payments also already acknowledge the expense of capital costs, so the use of CMP funds for such a purpose is prohibited
- **Nursing Home Services or Supplies** - CMP funds may not be used to pay for nursing home services or supplies that are already the responsibility of the nursing home, such as laundry, linen, food, heat, staffing costs, medical equipment, resident transportation, resident beds, etc. would duplicate an existing responsibility of the nursing home.
- **Supplementary Funding of Federally Required Services**
- **Complex Technology** - CMP funds cannot be used to purchase high-dollar, complex, or sophisticated technologies, such as telemedicine, alert systems, virtual reality, artificial intelligence, etc.



What types of things will CMP funding not cover?

-
- **Research**- descriptive, analytical, experimental, or integrative research studies on nursing home residents/staff, often consists of projects where the benefit to nursing home residents is unknown and doesn't directly benefit the nursing home residents.
 - **QIN/QIO Approved Projects** - CMP funds cannot be used to fund activities for which QIN-QIOs are already receiving federal funding to complete
 - **Charging for Nursing Home Employee Salary**
 - **Palliative Care Services**
 - **Dental, Vision and Hearing Services** - funds are not intended to bridge the gap in coverage for services Medicare does not currently provide. Note: Some dental projects may be allowable, such as training, or based on the extent of the state's current dental coverage.
 - **Incentives** - funds cannot be used for monetary and non-monetary gifts to motivate or encourage individuals to do something
 - **Overlap with State Functions** - CMP funds cannot be used to pay for state salaries and for functions that states are required to perform

What types of things will CMP funding not cover?

-
- **Previously Denied CMRP Projects**
 - **Telemedicine Services and Equipment**
 - **Prohibited Budget Items**
 - **Mental and Behavioral Health Support CMP Applications** - 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. Dementia training is excluded. To obtain information and access to this program, visit www.nursinghomebehavioralhealth.org.

Prohibited Budget Items



- Infection control supplies
- Personal Protective Equipment (PPE)
- Any equipment required to perform a medical service/procedure
- Any equipment required to monitor patient health
- Outdoor furniture
- Permanent fixtures (lighting, bathtubs etc.)
- Standard resident beds
- Food
- Drink
- Background checks
- Patient assistive devices (hearing aids, prescription glasses etc.)
- Resident assessment instruments (RAI)
- Installed projection systems
- Curtains
- Patio
- Massage chairs
- Water fountain
- Any renovations to the physical layout of the building
- Patient fall detectors
- Nurse alert systems
- Tracking systems
- Incentives
- Laptops for nursing home staff
- Surround sound systems
- Telecom systems
- Nursing home staff salaries
- Telemedicine services or equipment
- Research or dissemination (conference fees, publication fees etc.)
- Reserve equipment
- Televisions
- Appliances (Washing machines, dryers, microwaves etc.)
- Landscaping
- Fixed gardens (permanent additions to the nursing facility, non-mobile)
- Resident transportation (nursing home shuttles etc.)
- Air conditioning/heat
- Private insurance
- Emergency supplies

New Projects vs. Extension Projects

Knowing the type of project that you want to implement is VERY important. New projects are different from Extension projects – and they have their own applications and rules.

NEW PROJECTS

A new CMP project is one that has not been previously implemented in NC or another State.

New project applications require the NC RFA and the CMS 508. Both can be found at <https://info.ncdhhs.gov/dhsr/nhlcs/forms.html>

EXTENSION PROJECTS

An extension project has been previously implemented in NC or another State. It can be a project or a specific product. An example would be [Java Group Projects](#)

Extension applications require the CMP Reinvestment Application Template. This can be found at <https://info.ncdhhs.gov/dhsr/nhlcs/forms.html> or on the CMS website.

Additional Requirements

- Letters of Commitment from each facility that intends to participate in your project. **LOC need to be signed by an Administrator or member of the Corporate Office**
- You need to make sure that the facilities that are committing to your project are not involved in another CMP funded project. If they are (and depending on the type of project you are implementing), you will need to make sure that they are able to participate in YOUR project as well. A list of current projects is kept up-to-date on the NCCCC website at <https://www.ncculturechangecoalition.org/new-cmp-applications>

Project Participation

North Carolina provides a list of current CMP projects, their project categories, and the participating facilities. You are encouraged to view these lists before reaching out to facilities to avoid soliciting a facility that is unable to participate in your project.

[Quality of Care Training Projects List](#)

[Quality of Life Activity Projects List](#)

It is important to note that nursing homes can participate in more than one CMP-funded project as long as they follow guidelines implemented by CMS.

Resident/Family Council

Facilities are allowed a **one-time** maximum funding amount of \$5,000 per facility

Consumer Information

Facilities are allowed a **one-time** maximum funding amount of \$5,000 per facility

Quality of Care Training

Facilities are allowed a maximum funding amount of \$5,000 per facility, per year with a max project period of 3 years.

Quality of Life Activities

Facilities are allowed a maximum funding amount of \$5,000 per facility, per year with a max project period of 3 years.

Facilities may participate in more than one QOL activity project as long as the two projects do not fall under the same category. For a list of categories, click [HERE](#).

Applicants submitting a new CMP project application in North Carolina will need to download both the NC RFA and the CMS 508 application forms. There is a budget template that is also recommended for use with your application. This needs to be submitted as a separate document with your final application and not embedded as part of your project narrative.



[Home](#) [About](#) [CMP Info](#) [CMP Applications](#) [Events](#) [Blog](#) [Join Us](#) [Member Portal](#)

Letters of Commitment



CMS requires that Letters of Commitment from each participating facility be submitted with the project application. Recruitment of facilities or adding additional facilities to the project are not permitted after the project has been approved.

CMS requires the following information be included in a Letter of Commitment:

1. The project title
2. The project time frame (1, 2 or 3 years)
3. The nursing home's CCN number (CMS certification number)
4. The signature of an individual authorized to commit the nursing home
5. An acknowledgement from the nursing home that participation in this project and subsequent use of funding will count against their budget for that funding category."

A sample Letter of Commitment is provided for applicant use. Applicants may use their own Letters or may use this template.

Additional Requirements

- Extension Projects require a **Letter of Support** from the State Agency where the project has been previously implemented. The project must have been successfully implemented for at least one year and have data to support its success.

State Agency Letter of Support

In order to submit a CMP Reinvestment application, the applicant must have a Letter of Support from the State Agency in the State where the project has been previously implemented for at least one year. *"The applicant must submit results of the previously approved and completed project (if applicable), with confirmation by the State Agency. Results must show that an applicant met the project's goals and objectives for an application extension to occur. An applicant submitting an extension project must include a letter or email from the State Agency(ies) of the previously approved, CMP-funded in progress or completed project. In the letter or email, the State Agency needs to state whether the previous applicant met project goals and objectives, and whether the State Agency recommends expanding this applicant's project to other nursing homes."*

[List of State Agencies](#)

Important Things that Applicants Should/Should Not Do!

- Ensure that they have the funding available to start the project. CMP funds are NOT paid to applicants in advance. Applicants will submit reimbursement requests for expenditures beginning the month after the project begins.
- Don't make timeline commitments to the facilities who are participating in your project. It takes upwards of 3-6 months from the time you submit your application to the State Agency to CMS' final decision to approve/deny your application.



Java Group Projects
NC CMP-funded project 2021-2022

Important Things that Applicants Should/Should Not Do!

Do your homework!

- Make sure that your project has not been denied in NC or another State
- If a facility that wants to participate in your project and they are already involved in another CMP funded project, make sure there is no conflict!
- Make sure that facilities that commit to participating in your project are CERTIFIED. These facilities will have a 6-digit CMS Certification Number (CCN) beginning with 345. If they do not have one, they are not a certified facility



To Know Me - A Method to Enhance Person-Centered Care Project
NC CMP funded project – 2020-2023

CMP funded projects can spark positive changes in your long-term care community!



Creative Aging Network – NC
NC CMP-funded project (2020 – 2023)