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**Centers for Medicare & Medicaid Services  
Federal Grant Opportunity:  
Reinvestment of Civil Money Penalty (CMP)  
Funds to Benefit Nursing Home Residents**

**Frequently Asked Questions  
(FAQ)**

*Sponsored by:*  
**The Centers for Medicare & Medicaid Services (CMS)**

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## **Section A - General Questions**

### **A1: What is a Civil Money Penalty (CMP)?**

Civil money penalties are imposed by CMS, in certain cases, when nursing homes do not meet the Medicare/Medicaid Requirements for Participation. Sections 1819(h)(2)(B)(ii)(IV)(ff) and 1919(h)(3)(C)(ii)(IV)(ff) of the Social Security Act (the Act) incorporate specific provisions of the *Patient Protection and Affordable Care Act*, (the *Affordable Care Act, ACA*) (Pub. L. 111-148) pertaining to the collection and use of CMPs imposed by CMS when nursing homes do not meet Requirements for Long Term Care Facilities. The Act provides that collected CMP funds must be used to support activities that benefit residents, including assistance to support and protect residents of a facility that closes or is decertified, projects that support resident and family councils and other consumer involvement in assuring quality care in facilities, and other nursing facility improvement initiatives such as joint training of facility staff and surveyors, technical assistance for facilities implementing quality assurance programs, or the appointment of temporary management.

### **A2: What is the National Partnership to Improve Dementia Care in Nursing Homes?**

To improve the quality of care provided to individuals with dementia living in nursing homes, CMS launched the National Partnership to Improve Dementia Care in Nursing Homes to deliver health care that is person-centered, comprehensive and interdisciplinary. This partnership was also implemented with the mission of protecting residents from being prescribed antipsychotic medications unless there is a valid, clinical indication and a systematic process to evaluate each individual. The initial Partnership goal was to decrease the use of antipsychotics by 15 percent nationally. As part of the effort, Nursing Home Compare (<http://www.medicare.gov/nursinghomecompare/search.html>) began rating two new quality measures related to antipsychotic medications in July 2012.

The July 2012 Department of Health and Human Services, Office of Inspector General Report titled *Nursing Facility Assessments and Care Plans for Residents receiving Atypical Antipsychotic Drugs (OEI-07-08-00151)*, studied claims for Medicare patients residing within a nursing facility and the administration of atypical antipsychotic drugs within a six month period of time (January – June 2007). This study highlighted:

- 99.5 percent of record reviews “for elderly nursing facility residents receiving atypical antipsychotic drugs” did not contain evidence that all Federal requirements for nursing facility resident assessment and care plans were met.
- For one-third of records, nursing facility staff did not complete resident assessments in accordance with Federal requirements.
- For 4 percent of records, nursing facility staff did not document consideration of the Resident Assessment Protocol for psychotropic drug use as required.
- For 18 percent of records, records contained no evidence that interventions (e.g. environmental modifications) for antipsychotic drug use listed in the care plans actually occurred.

The CMS achieved its' initial goal in 2013. National data between the fourth quarter for 2011 and the fourth quarter for 2013 show a 15.1 percent reduction in the national prevalence of antipsychotic medication use in long-stay NH residents (the prevalence rate decreased from 23.8 percent to 20.2 percent). Success has varied by State and CMS Region, with some States and Regions having seen a reduction of greater than 15 percent. For example Georgia reduced their rate by 26.4 percent and North Carolina saw a 27.1 percent reduction. Short-stay incidence rates improved as well. This data highlights the opportunities available for additional strategies to reduce the unnecessary use of antipsychotic medications in long-term care and improve dementia care.

Proposed projects should directly benefit nursing home residents, build on the existing work of the National Partnership, and provide innovative and unique strategies for the safe reduction of antipsychotic medications for individuals with dementia.

## **Section B - Eligibility**

### **B1: Who is eligible to participate in the Reinvestment of Civil Money Penalty Funds to Benefit Nursing Home Residents?**

Any organization, association, and university (e.g., Quality Improvement Organization, health care organizations, providers, associations, and advocacy groups) may apply for funding under this grant opportunity. A maximum of one application may be submitted per organization/association/university. Competitive applications must have a national (i.e. available to all states) or regional (i.e. relevant or available to three or more states) scope. Projects specific to only an individual state will not be considered.

### **B2: What are the requirements to participate in the Reinvestment of Civil Money Penalty Funds to Benefit Nursing Home Residents?**

Projects considered for this funding opportunity must directly benefit Nursing Home residents. Implementation tasks will vary, but could include for example:

- Active resident, family and provider engagement, including training, education and outreach
- Quality Assurance/Performance Improvement initiatives
- Active Ombudsman, consumer and resident representative engagement
- Testing and evaluating resident specific approaches involving person-centered dementia care, including, for example, consistent staff assignments

Applicants must consider current CMP state activities and other Partnership activities being implemented and clearly articulate how this activity will enhance and build on, not supplant current activities and be implemented with a regional and/or national scope.

When CMP funds are requested for educational purposes, the organization involved must also include the following: anticipated number of attendees; target audience; timeline for implementation and plan and sustainability. Representatives from any group requesting funding,

or representatives who are in situations where a conflict of interest exists, must disqualify themselves from making recommendations.

Note – Additional requirements are explained in the grant solicitation.

**B3: May a college campus, a separate entity with distinct DUNS and/or Tax ID numbers, submit a separate application from the main university?**

Any organization, association, and university may apply for funding under this grant opportunity; however, a maximum of one application may be submitted per organization/association/university. CMS does not explicitly follow DUNS and/or Tax ID numbers because they may be established separately within an organization. CMS will review publicly available information to determine what constitutes the organization.

**B4: In reference to the term “scope”, does this project need to be associated with skilled nursing homes located in multiples states or can the associated homes be in one state?**

The grant solicitation states “competitive applications must have a national (i.e. available to all states) or regional (i.e. relevant or available to three or more states) scope. Projects specific to only an individual state will not be considered.” Any proposed project/activity will need to extend to a minimum of three states.

## **Section C - Grant Information**

**C1: Where are the Reinvestment of Civil Money Penalty Funds to Benefit Nursing Home Residents grant application, general grant program, and pilot program information located?**

The Reinvestment of Civil Money Penalty Funds to Benefit Nursing Home Residents grant solicitation and general program information is located on the CMS Federal Grant Opportunity website at: <http://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo/FederalCMPGrant.html>. Applicants can download the application packet via the <http://www.grants.gov> website by entering the Funding Opportunity Number listed in the Reinvestment of Civil Money Penalty Funds to Benefit Nursing Home Residents grant solicitation.

**C2: What legislation authorized Federal funding for the Reinvestment of Civil Money Penalty Funds to benefit Nursing Home Residents?**

Sections 1819(h)(2)(B)(ii)(IV)(ff) and 1919(h)(3)(C)(ii)(IV)(ff) of the Social Security Act incorporate specific provisions of the Patient Protection and Affordable Care Act, (the Affordable Care Act, ACA) (Pub. L. 111-148) pertaining to the collection and uses of CMP’s imposed by CMS when nursing homes do not meet Requirements for

Long Term Care facilities.

**C3: When are the deadlines to apply for the Reinvestment Civil Money Penalty Funds to Benefit Nursing Home Residents?**

- a. Applicants must submit an Intent to Apply by **June 9, 2014** at the following:  
[Fed\\_CMPGrant@cms.hhs.gov](mailto:Fed_CMPGrant@cms.hhs.gov)
- b. All applications must be submitted electronically and be received through Grants.gov by **3:00 p.m. Eastern Time (Baltimore, MD) on June 26, 2014**. All applications will receive an automatic time stamp upon submission and applicants will receive an automatic e-mail reply acknowledging the application's receipt. The electronic grant application is due: **June 26, 2014**.

**C4: Where can I find application materials and information?**

Application materials and further information can be downloaded at <http://www.grants.gov>.

**C5: Is the grant period time limited?**

Grantee States are funded for a 36 month project/budget time period.

**C6: Are there any stipulations in this solicitation concerning supplanting of funds for potential projects?**

Yes. CMP funds may not be used to pay entities to perform functions which they are already paid by State, Federal or other sources. CMP funds, for example may not be used to enlarge an existing appropriation or statutory purpose that is substantially the same as the CMP project.

**C7: What is the purpose of the “email of intent”?**

The purpose of the email of intent is to provide CMS with a level of potential interest in the grant opportunity for review process planning. CMS is inviting all organizations, associations, and universities that meet the eligibility criteria to apply for this grant opportunity.

## **Section D – Additional Questions**

Please send additional questions about the CMS Federal Grant Opportunity via [Fed\\_CMPGrant@cms.hhs.gov](mailto:Fed_CMPGrant@cms.hhs.gov). CMS will periodically review submitted questions and post updated versions of the Frequently Asked Questions (FAQ) document on the CMS Federal Grant Opportunity website.