



CABINET FOR HEALTH
AND FAMILY SERVICES

Civil Money Penalty (CMP) Reinvestment Application

Updated September 2023

Office of the Inspector General
275 East Main Street, 5E-A
Frankfort, KY 40621



**CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL**

Andy Beshear
Governor

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Eric C. Friedlander
Secretary

Adam Mather
Inspector General

Dear Applicant,

Thank you for your interest in submitting a proposal to utilize Civil Money Penalty (CMP) funds to support activities that benefit nursing home residents in Kentucky. In accordance with Survey & Certification transmittal 12-13 NH dated December 16, 2011, States must obtain approval from the Centers for Medicare & Medicaid Services (CMS) for the use of federally imposed CMP funds. Entities from which CMP request originate shall submit the request to the applicable State Agency (SA) for an initial review and recommendation. In Kentucky, the Office of the Inspector General (OIG) is the State Agency. All CMP fund applications shall be submitted electronically and sent to the OIG utilizing the attached Kentucky Civil Money Penalty (CMP) Reinvestment Application form. Please submit all applications for CMP funds to the following electronic mailbox: CMPPPLICATION_OIG@KY.GOV.

Thank you for your commitment to the citizens of Kentucky. If you have any questions about the application process, please contact the Kentucky OIG Grants Administrator, Lena Mullins-Datko, at lena.mullinsdatko@ky.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Mather".

Adam Mather
Inspector General

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The Commonwealth of Kentucky does not discriminate on the basis of race, color, religion, sex, national origin, sexual orientation, gender identity or expression, ancestry, age, pregnancy or related medical condition, marital or familial status, disability, veteran status, political affiliation, or genetic information in accordance with state and federal laws.

INTRODUCTION

Applicants shall submit this CMP Reinvestment Application request to the Kentucky Cabinet for Health and Family Services Office of Inspector General for initial review. The Office of Inspector General (OIG) shall make an initial determination on the potential of the project to benefit certified home residents and protect or improve their quality of care or quality of life. If OIG determines the application meets state requirements and CMS guidance, OIG will then forward the application to the Centers for Medicare & Medicaid Services (CMS) Long-Term Care Locations for review and approval. After a determination by the OIG and CMS Location, the applicant will be notified of the funding determination. Applicants may contact the CMP Grant Administrator at OIG with questions regarding their CMP Reinvestment application.

If a project is approved, quarterly progress reports are required by OIG. Project outcomes, including the metrics set out in this application, must be reported at the completion of the project period. In order to maintain compliance with 42 CFR 488.433, OIG will make information about the use of CMP funds publicly available, including, at a minimum, the dollar amount, recipients, and results of the project.

Extension Project Applications

Note: Applications that are an extension of an approved CMP reinvestment project to new nursing home location(s) must submit results of the previously approved and completed project (if applicable), with confirmation by the State Survey Agency. **A project is considered an “extension project” if it is similar in project details to an in progress or completed project approved after April 1, 2018** (e.g., same applicant and/or same collaborating partner, similar project focus, but to a different nursing home population).

Applications for an extension project must include the following attachments:

- a. The approval letter for the previously approved, CMP-funded project
- b. Results of the previously approved CMP-funded project with confirmation by the state agency.
 - Results must show that an applicant met the project’s goals and objectives for an extension to be granted.
- c. A letter or email from the State Survey Agency (SA) of the previously approved, CMP-funded project.
 - In the letter or email, the SA needs to state whether the previous applicant met project goals and objectives, and whether the SA recommends expanding this applicant’s project to other nursing homes.

Note: Previous approval and funding of a project does not guarantee future approval of a similar project. Despite previous approvals, each CMPRP application receives an independent review based on its merit, content, clear need for the project, and compliance with current CMS regulation.

Project and Applicant Requirements

Projects cannot:

- Exceed three (3) years.
- Include items or services that are not related to improving the quality of life and care of certified nursing home residents or to protecting such residents. For example, projects where the need or demand for services provided by the project does not exist, and projects where nursing home residents are not the target beneficiaries, or the nursing home setting is not the focus of the project.

- Include research as a focus as the benefit to certified nursing home residents is unknown or concentrated on the research entity, or a large portion of the budget does not directly benefit nursing home residents.
- Duplicate existing requirements for the nursing home or other federal or state services.
- Include funding for capital improvements to a nursing home (e.g., a durable upgrade, adaptation, or enhancement of a property that increases its value, often involving a structural change or restoration to a nursing home, or building a nursing home, as the value of such capital improvement accrues to a private party (the owner), replacing a boiler, redesigning a nursing home, landscaping, parking lot or sidewalk construction).
- Include funding for nursing home services or supplies that are already the responsibility of the nursing home (e.g., staff, staff travel and lodging expenses, required staff training, required medical equipment, food, telemedicine services). Please note, travel for state staff will be evaluated with each application.
- Include funding for survey and certification operations or state expenses.
- Include funding for refreshments.
- Include funding for incentives (e.g., for attending training or completing a survey—this includes items such as payments or gift cards).
- Include excessive indirect costs.
- Include funding for the development of project curriculums or toolkits. Including high-dollar, complex technology, such as but not limited to engagement technology, alert systems, virtual reality, artificial intelligence, etc.
- Include unclear or excessive expenses (e.g., budget items that are not clearly detailed or itemized, unreasonably high project staff salaries or travel expenses, excessive staff to implement a project, unreasonable marketing of projects, high indirect costs, or a large portion of the budget set aside for evaluation), CMP funds cannot be used for Nursing Home staff/employees' travel expenses.
- Include supplementary or duplicative federal or state funding (e.g., personnel performing the same duties as Ombudsman, nurse aide training programs);
- Be resubmitted after CMS disapproval/denial; and
- Include proposed conference dates that take place while the application is still under CMP Review. It is recommended that applications relating to conferences/training be submitted to the CMPRP Team at least 90 days in advance of the proposed conference dates to allow adequate time for review.

Applicants must:

- Be qualified and capable of carrying out the intended project(s) or use(s);
- Not have a conflict-of-interest relationship with the entity(ies) who will benefit from the intended project(s) or use(s);
- Not be a recipient of a contract or grant or other payment from Federal or State sources for the same project(s) or use(s);
- Not be paid by a state or federal source to perform the same function as the project(s) or use(s) (e.g., CMP funds may not be used to enlarge or enhance an existing appropriation or statutory purpose that is substantially the same as the intended project(s) or use(s); and
- Provide a letter of support from each participating nursing home. If the organization applying for a CMP project is not a nursing home, letters of support from all participating nursing homes are required to be submitted with the application. For example, CMS will not approve applications indicating that the applicant will approach nursing homes to participate in their project after funds are granted. Therefore, applications to implement projects in individual nursing homes must have

letters of commitment from the nursing homes that the project will be deployed in. The commitment letter must display the project title, time frame, the nursing home’s CMS certification number (CCN), and signed by an individual authorized to commit the nursing home. In the instance of a corporation submitting a project request on behalf of its nursing homes, the above criteria on one letter listing all participating will suffice. CMS may make exceptions in rare cases to reduce or eliminate the need for letters of commitment, such as state-based conferences where all nursing homes are invited to attend.

Additional Instructions for preparing the CMP Application

- Assemble and paginate the request as one pdf document, and use approved Times New Roman, 12-point font, for any appendices.
- Complete all sections of the request as instructed. Incomplete applications will be returned to the applicant and not considered for funding.
 - Additional pages may be included if extra space is required. A MS Word version of the application form is available. Please contact CMPEApplication_OIG@ky.gov for a copy.
- Plan ahead and allow sufficient time for KY OIG and CMS review and approval of the request.
- If the use of CMP funds is approved, the organization or entity receiving funds will still be required to complete a state contract before the funds are released. Please note that after approval of the project, the state contracting process can take a month or longer to complete.

CMP FUNDING LIMITS

Project Type	Maximum Funding
Resident or Family Councils	\$5,000 one-time funding
Consumer Information	\$5,000 one-time funding
Training to Improve Quality of Care	\$5,000 per CNF, per project year
Activities to Improve Quality of Life	\$5,000 per CNF, per project year

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).

See KY CMP Reinvestment Application Resource Guide for more information.

APPLICANT CONTACT AND BACKGROUND INFORMATION

Date of Application: _____

1. Applicant Contact Information

Provide the contact information for the CMP project applicant (individual) who completed the application. If the primary point of contact (POC) is different than the POC who completed the application, please provide the primary POC's name and contact information. The primary POC is defined as the person responsible for project implementation.

Applicant Contact Information

Name:

Phone:

Email:

Address:

Primary Point of Contact (if different from above)

Name:

Phone:

Email:

Address:

2. Applicant Organization Information

Provide the contact information for the organization requesting CMP funds. The organization or nursing home that requests CMP funding is accountable and responsible for all CMP funds granted. If a change in ownership occurs after CMP funds are granted or during the course of the project, the primary POC should notify OIG. Notice regarding the change in ownership and its impact on the CMP Reinvestment Application award should be sent to OIG. The primary POC should also provide a signed attestation confirming the change of ownership to OIG.

Organization Contact Information

Name:

Phone:

Email:

Address:

Tax Identification Number:

National Provider Identifier:

2a. Is the organization a certified nursing home?

YES NO

Nursing Home-Specific Questions

Is any outstanding Civil Money Penalty (CMP) due:

YES NO

Is the Nursing Home in Bankruptcy or Receivership?

YES NO

3. Organization History

Provide the background and history of the applicant organization, including details such as the organization's mission statement and number of years in service.

4. Organization Capabilities

Provide information about the organization's capabilities, including products and services relevant to the proposed CMP project.

5. Organization Website

Provide the website address for the organization requesting CMP funds, if available.

6. Other Funding Sources

Do you or your collaborating partners (if applicable) currently receive Federal or State funds?

YES NO

If yes, please explain and identify the funding sources and amount in the space below.

6a. Have other funding sources, such as Federal or State funds, been applied for and/or granted for this proposal or project?

YES NO

If yes, please explain and identify the funding sources and amount in the space below.

Note: The entity or nursing home that requests CMP funding is accountable and responsible for all CMP funds entrusted to it. If a change in ownership occurs after CMP funds are granted or during the course of the project completion, the project leader shall notify CMS and the Kentucky Office of Inspector General within five (5) calendar days. The new ownership shall be disclosed as well as information regarding how the project shall be completed. A written letter regarding the change in ownership and its impact on the CMP Grant application award shall be sent to CMS and the State Agency.

FUNDING

7. Total CMP Fund Requested Amount

Provide the amount requested for the entire project. For example, if it is a three-year project and requires \$25,000 per year, then enter \$25,000 as the annual project cost and \$75,000 as the total project cost. The annual project cost may vary. If requesting \$25,000 for a one-year project, then enter \$25,000 as both the annual and total cost. Include the total amount of non-CMP funds received for the project, as described above in “Other Funding Sources.”

Annual Amount Requested:

Total Amount Requested:

Total non-CMP funds received (or anticipated) for this project:

8. Detailed Line-Item Budget

Applicants must provide a detailed line-item budget (using the CMP Reinvestment Budget Template or similar spreadsheet) outlining specific cost requirements within each of the following budget categories:

- Personnel: an employee of the organization whose work is tied to the proposed project and provide estimated numbers of man hours and related duties.
- Travel: provide a breakdown of mileage/airfare, per diem, and hotel rates (as applicable). 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). Rates that exceed GSA should include justification.
- Equipment purchases and rentals: materials necessary for the implementation of the project. Include the item description, the number of items requested, and cost per unit.
- Contractual: any cost associated with project activities that are undertaken by a subcontractor or third-party contractor. A detailed line-item breakdown of each subcontractor’s expenses should be included in the budget.
- Other direct costs: expenses not covered in any of the previous costs.
- Total indirect costs: overhead costs allocable to the project, such as a federal negotiated rate with a university. Submit a copy of the federally negotiated rate agreement with the application. Indirect costs (i.e., indirect costs include costs which are frequently referred to as overhead expenses, rent, utilities, general and administrative expenses, such as accounting department costs, personnel department costs and agency insurance) must not conflict with approved or non-allowable uses of CMP funds. All indirect costs should be directly related to project activities.
- Cost-sharing: total non-CMP funds received or anticipated for this project.

Is the CMP Reinvestment Budget Template or similar spreadsheet outlining specific cost requirements within each summary budget category attached? YES NO

9. Budget Narrative

Use the space below to justify indirect costs and cost-sharing amounts included in the CMP Reinvestment Budget Template or similar spreadsheet. Explain the costs calculation and methodology for each line item.

PROJECT DETAILS

10. Project Title:

10a. YES NO

Has the CMP reinvestment project been previously approved (same applicant and/or same collaborating partner, similar project focus, but a different nursing home population)?

YES NO

Have the results of the previously approved CMP Reinvestment Project been submitted to the State Agency?

YES NO

If the CMP reinvestment project is currently in progress, has three months elapsed for the State Agency and the CMS location to make an informed decision regarding duplication of this project?

Note: If the answer to the first question in the aforementioned box is yes, the applicant submitting a CMP Reinvestment Extension Project shall provide and ensure the following information:

- The project is similar (e.g., similar project details) to an in progress or completed project approved after April 1, 2018 (same applicant and/or same collaborating partner, similar project focus, but to a new nursing home population).
- The project is an expansion to a new nursing home(s) location. A project is considered a “continuation project” if it is similar in project details and nursing home target population to a previously approved CMP project. Continuation projects cannot exceed the allowable 36-month limit.
- A list of the Project deliverables along with a written report with details of the project results, challenges and opportunities for improvement has been forwarded to the SA. Of importance is the inclusion of specific information on how the project contributed to helping each resident achieve their highest practical well-being and enhanced quality of life and the provision of quality health care services. Results must show that an applicant met the project’s goals and objectives prior to duplication of the project in another nursing home population or state.
- A letter or email from the State Agency (SA) of the previously approved, CMP-funded in progress or completed project. In the letter or email, the SA needs to state whether the previous applicant met or is meeting project goals and objectives, and whether the SA recommends expanding the project to additional nursing homes.

10b. Number of Nursing Homes

Please enter the number of certified nursing homes that will be supported by this application.

Number of Nursing Homes:

10c. Previous Unique Identifier:

Please provide the unique identifier (UID) of the original or previously approved CMP project and the dates of execution, if applicable.

UID:

Dates:

List of state(s) where the CMP reinvestment project has been implemented to benefit residents:

11. Project Time Period

Number of Years:

Specific Dates Relevant to the Proposed Project: **Start** **End**

12. Project Category

Please indicate one category this project should be considered (please see the CMP Reinvestment Application Resource Guide for more information):

- Consumer Information
- Resident or Family Council
- Direct Improvement to Quality of Care
- Culture Change/Direct Improvements to Quality of Life
- Training
- Other, please specify:

SUMMARY OF PROJECT AND BENEFIT TO RESIDENTS

13. Summary of the Project and its Purpose

a. Describe the problem, gap, or the nursing home need this project is aiming to address.

b. Describe realistic, actionable project goals relevant to the project's objective. A goal is a desired result you want to achieve and is typically broad and long-term.

c. Describe the project’s quantifiable objectives, including the specific metrics that will be used to measure actions the nursing home must take to achieve the overall goal. For further information and specific examples, please refer to the [“Tips for Writing Realistic, Actionable Goals and Quantifiable Objectives”](#) under the Downloads section of the CMPRP website.

d. Describe the plan to implement the project, including implementation timeline.

14. Benefit to Nursing Home Residents

Describe how this project will directly benefit nursing home residents. CMP funds shall only be used for activities that benefit nursing home residents and that protect or improve their quality of care or quality of life. All project application submissions must be in alignment with CMS' Non-Allowable and Allowable criteria. Please refer to the Allowable and Non-Allowable documents for activities and funding limits for proposed project. These documents can be accessed at the following: [Allowable and Non-Allowable Uses of CMP Funds.](#)

PARTNERING ENTITIES

15. Nursing Home and Community Involvement

Describe how the nursing home community (including resident and/or family councils and direct care staff) will be involved in the development and implementation of the project.

If the organization applying is not a nursing home, letters of support from all participating nursing homes are required in the application submission.

16. Other Partnering Entities

If applicable, list any other entity(ies) (e.g., individuals, organizations, associations, facilities) that will be partnering with the applicant on this project, how much funding the entity will be receiving (if any), if the entity has submitted previously for CMP funding, and the specific deliverables for which the entity is responsible.

DELIVERABLES, RISKS, PERFORMANCE EVALUATION, AND SUSTAINABILITY

17. Project Deliverables

List any physical items that will be deliverables as a result of funding this project (e.g., training materials, project evaluation report).

18. Performance Monitoring and Evaluation

Describe how the project's ongoing performance will be monitored and evaluated throughout the term of the project, including specific outcome metrics, and the intended outcomes. These metrics shall be submitted as required by the applicable SA, throughout the course of the project, and upon completion of the project. The submitted metrics and outcomes will be published annually in the CMP Project Tracker on the CMP website.

19. Duplication of Effort

Describe how the project does not duplicate existing requirements for the nursing home or other federal or state services.

[Empty response box for Duplication of Effort]

20. Risks

Describe potential risks or barriers associated with implementing this project and the plan to address these concerns.

[Empty response box for Risks]

21. Sustainability

If applicable, provide a plan on how the project or outcomes will be sustained following the conclusion of CMP funding. If the applicant will be seeking other funding sources, please provide further detail.

*Please note, ALL project materials – such as curriculum, websites, toolkits, should be developed prior to submission of an application.

ATTESTATION

22. Attestation Statement

CMP funds have been provided for the express purpose of enhancing quality of care and quality of life in nursing homes certified to participate in Title 18 and Title 19 of the Social Security Act. Failure to use civil money penalty funds solely for certified nursing homes and for the intended purpose of the grant proposal is prohibited by Federal law. By signing below, you are confirming that everything stated in this application is truthful and you are aware and in compliance with the CMP project and applicant requirements.

Signature of the Applicant:

Name of the Applicant:

Date of Signature:

ATTACHMENTS

23. Attachments

List all attachments to the KY CMP Application here.

