



# California Department of Public Health Center for Health Care Quality Civil Money Penalty (CMP) Reinvestment Project



## Application Updates as of 09/25/2023:

- CMS has implemented a funding limit for most Civil Money Penalty Reinvestment Projects (CMPRP)
- State application and instructions updated for clarity and to reflect CMS requirements

<b><i>Applicant Information</i></b>
Organization Name:
Project Title:
Date of Submission to CDPH:
CDPH Date of Submission to CMS (State use only):

## Instructions

**Review the following documents prior to completing this application. These resources are available in the Downloads section on the [CMS Website](#):**

- **CMP Reinvestment Application Resources, including the CMP Reinvestment Application Resource Guide**
- **CMP Reinvestment Website FAQs**
- **Allowable and Non-Allowable Uses of CMP Funds**

Please refer to the CMP Reinvestment Application Resource Guide when completing this application. Applicants shall submit this CMP Reinvestment Application request to the California Department of Public Health, the State Agency (SA), for initial review. The SA shall make an initial determination on the potential of the project to benefit nursing home residents and protect or improve their quality of care or quality of life. Once the state determines the application meets state requirements and Centers for Medicare & Medicaid Services (CMS) guidance, SAs will then forward the application to the CMS Long-Term Care Location (CMS Location) for review and approval. After a determination by the SA and CMS Location, the applicant will be notified of the funding determination. Applicants may contact the applicable SA with questions regarding their CMP Reinvestment Application.

***Please refer to the Allowable and Non-Allowable document for activities and funding limits for proposed projects. You can access this document at the following: [Allowable and Non-Allowable Uses of CMP Funds](#).***

Periodic reports may be required by each SA. Project outcomes, including the metrics provided in this application, must be reported at the completion of the project period. In order

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to maintain compliance with 42 CFR 488.433, at a minimum, SAs will make information about the use of CMP funds publicly available, including the dollar amount, recipients, and results of the project.

Note: Applications that are an extension of an approved CMP reinvestment project to new nursing home location(s) do not have to complete the entire application. 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). 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. For an extension or continuation project, applicants must submit the approval letter for the approved CMP reinvestment project and complete the following sections: Applicant Contact and Background Information (sections 1-2a, and 6); Funding (sections 7-9); Project Title (section 10), Section 10a, Number of Nursing Homes (section 10b), Previous Unique Identifier (section 10c - if applicable); Project Time Period (section 11); Partnering Entities (section 15 for non-nursing home applicants and section 16 for all applicants, if appropriate), and Attestation (section 22). Additionally, the applicant must submit results of the previously approved and completed project (if applicable), with confirmation by the SA. The frequency that the applicant submits CMP project results for review by the SA, is at the discretion of the SA and can be as early as 3 months on a 12-month project. 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 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.

**Note: All sections within the application must be completed. If no content is applicable, then an indication of NOT APPLICABLE (NA) must be indicated in that section, or that section will be deemed incomplete and the application will be returned.**

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## Project and Applicant Requirements

### Projects cannot:

- Exceed three years (36 months), CMS will generally not approve uses that commit CMP funds to very long- term programs (greater than three years (36 months) that would create the reality or the appearance of an on-going revenue demand so strong that could affect the judgment of the State or CMS in imposing civil monetary penalties, or to fund programs for which Congress has provided another on-going funding source.
- CMS will not approve projects for which a conflict of interest exists or the appearance of a conflict-of-interest relationship with the entity(ies) who will benefit from the intended project(s) or use(s).
- Include items or services that are not related to improving the quality of life and care of 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 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. Include high-dollar, complex technology, such as but not limited to engagement technology, alert systems, virtual reality, artificial intelligence, etc. (CMS is providing an updated list of non-allowable uses of CMP funds for projects. Notably, we will no longer approve CMP funding for complex or highly-sophisticated technology projects, such as telemedicine, virtual reality, or artificial intelligence.
- 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.

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- Include supplementary or duplicative federal or state funding (e.g., personnel performing the same duties as Ombudsman, nurse aide training programs); and
- Be resubmitted after CMS disapproval/denial.
- Include proposed conference dates that take place while the application is still under CMP Review. The application should be submitted to the SA at least 120 days in advance of the proposed conference dates to ensure the SA can complete its review and submit to CMPRP with a 90-day lead time.

### **Applicants must:**

- Adhere to/follow the State's invoicing guidelines.
- 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
- 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 and question 10b on the application must be completed. 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 in which the project will be deployed. The commitment letter must display the project title, time frame, the nursing home's CMS certification number (CCN), and signature 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.
- List each participating nursing home on the Skilled Nursing Facility Table (question 10b) as part of the application.

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## **Applicant Contact and Background Information**

### **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.

<i>Applicant Contact Information</i>	<i>Primary Point of Contact (if different)</i>
Name:	Name:
Phone:	Phone:
Email:	Email:
Address, City, State and Zip:	Address, City, State and Zip:

### **2. Applicant Organization Information**

Provide the contact information for the organization requesting CMP funds. The organization or nursing home which 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 the SA. Notice regarding the change in ownership and its impact on the CMP Reinvestment Application award should be sent to the SA. The primary POC should also provide a signed attestation confirming the change of ownership to the SA.

<i>Organization Contact Information</i>
Name:
Phone:
Email:
Address, City, State and Zip:

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National Provider Identifier Number:
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## 2a. Is the organization a certified nursing home?

<i>Nursing Home-Specific Questions</i>			
Is any outstanding Civil Money Penalty (CMP) due?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Is the nursing home in bankruptcy or receivership?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A

## 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. (Attach a separate document if more space is needed)

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## 4. Organization Capabilities

Provide information about the organization’s capabilities, including products and services relevant to the proposed CMP project. (Attach a separate document if more space is needed)

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## 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?

If yes, please explain and identify the funding sources 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?

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

## 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 \$5,000 per year, then enter \$5,000 as the annual project cost and \$15,000 as the total project cost. The annual project cost may vary. If requesting \$5,000 for a one-year project, then enter \$5,000 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 number of man hours and related duties. (Reminder: Personnel services that are already the responsibility of the nursing home are not allowable.)
- 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 rates currently in effect, as established by the [California Department of Human Resources](#) (Cal HR). Rates that exceed Cal HR should include justification.
- Equipment purchases and rentals: Include the item description, the number of items requested, and cost per unit. Equipment is defined as materials necessary for the implementation of the project and with a life expectancy of one (1) year or more and is either furnished by CDPH or the cost is reimbursed through the Agreement. The State’s CMP Reinvestment Application Budget Template or a similar spreadsheet must be used when budgeting for a project.
- Contractual: any cost associated with project activities that are undertaken by a sub-contractor or third-party contractor. A detailed line-item breakdown of each sub-contractor'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



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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.
- The completed CMP Reinvestment Budget Template or similar spreadsheet outlining specific cost requirements within each summary budget category is attached.

## 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 cost calculation and methodology for each line item.

**Project Details**

**10. Project Title:** \_\_\_\_\_

**10a. Project Extension or Continuation Assessment**

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 <input type="checkbox"/>	No <input type="checkbox"/>
Have the results of the previously approved CMP Reinvestment Project been submitted to the State Agency?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

*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. 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). Extension projects cannot exceed the allowable 36-month limit.
- 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. **Please note:** The frequency that the applicant submits CMP project results for review by the SA, is at the discretion of the SA and can be as early as 3 months on a 12-month project. 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.











**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 collaborating 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, 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 project, and upon completion of the project. The submitted metrics and outcomes will be published annually in the CMP Project Tracking Sheet 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.

**20. Risks**

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

**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. 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.

Organization Name:	
Name of the Applicant (print):	
Signature of the Applicant:	
Date of Signature:	