

## MEMORANDUM



MISSISSIPPI DIVISION OF  
**MEDICAID**

**To:** Nursing Homes and Nursing Home Stakeholders

**From:** David J. Dzielak, Ph.D.   
Executive director

**Date:** July 1, 2013

**Subject:** Invitation to Apply for Grants for Use of Civil Money Penalty (CMP) Funds

Mississippi Division of Medicaid (DOM) is excited to announce the availability of grant funding from the civil money penalty (CMP) program. These grants are available for projects or programs that are provided through various interested nursing home stakeholders (e.g., facilities, consumer groups, professional nursing home associations, ombudsmen program, quality improvement organizations, etc.) and must be used to benefit Mississippi nursing home residents.

Federal or State imposed civil money penalty funds are collected by the Centers for Medicare and Medicaid Services (CMS) or DOM from long-term care facilities that have failed to maintain compliance with Federal nursing home requirements.

Section 1919(h)(2)(A)(ii) of the Social Security Act provides that CMP funds collected by a state, which are the result of certain actions by nursing facilities or individuals, must be applied to the protection of the health or property of residents of nursing facilities that the state or the Secretary finds deficient.

Sections 1819(h)(2)(B)(ii)(IV)(ff) and 1919(h)(3)(C)(ii)(IV)(ff) of the Social Security Act have been updated to incorporate specific provisions of the Affordable Care Act with regard to the collection and uses of CMP funds. States must obtain prior approval from CMS for the use of CMP funds and may direct collected CMP funds to a variety of capable organizations as long as funds are used in accordance with statutory intent, the use is consistent with Federal law and policy, and the use is approved by CMS.

These projects demonstrate a reinvestment of penalties assessed and will be used to improve services and care directly to nursing home residents. All eligible organizations are encouraged to apply because these funds can be used to make a difference in the lives of some of our most vulnerable residents.

Examples of potential applicants include:

- Certified Nursing Homes
- Consumer Advocacy Organizations

- State Long-Term Care Ombudsman Programs
- Quality Improvement Organizations
- Private Contractors
- Resident or Family Councils
- Professional or State Nursing Home Associations
- Academic or Research Institutions
- State, Local, or Tribal Governments
- Profit, Not-for-Profit, or Other Types of Organizations

The CMP Grant Application and detailed instructions can be found on the Agency's website at <http://www.medicaid.ms.gov/LongTermCare.aspx>. The application and supporting documents must be submitted electronically to [CMPSGrants@medicaid.ms.gov](mailto:CMPSGrants@medicaid.ms.gov).

The submission period for submitting grant Applications is September 1 through September 14, 2013. ***Applications received prior to September 1, 2013 or after September 14, 2013 will not be considered for approval.***

DOM and the State Survey Agency shall collaboratively conduct an initial review and evaluate all components of the completed grant application. Reviewed applications and the State's recommendation for approval will be forwarded to CMS. ***All grant awards are subject to final approval by the CMS regional office.***

There is no entitlement to any funds available for grants awarded through this initiative. DOM may award grants to the extent funds are available and, within its discretion, to the extent that applications are approved.

If you have questions regarding this matter, please contact Patricia Holton at 601-359-5191 or email [CMPSGrants@medicaid.ms.gov](mailto:CMPSGrants@medicaid.ms.gov).

DJD/pah

Pc: Marilyn Winborne, Health Facilities Licensure & Certification  
 Alice Mitchell, Mississippi Independent Nursing Home Association  
 Vanessa Henderson, Mississippi Health Care Association  
 Will Crump, Deputy Administrator of Health Services  
 Margaret King, Deputy Administrator of Finance, DOM  
 Ann Ricks, Long Term Care Bureau Director, DOM  
 Patricia Holton, Nurse Administrator-Institutional Long Term Care, DOM