



CABINET FOR HEALTH  
AND FAMILY SERVICES

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**Kentucky**  
**Civil Money Penalty**  
**Reinvestment Program**

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**Office of Inspector General**

**575 East Main Street 5E-A**

**Frankfort, KY 40621**

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# CMP Reinvestment Funds

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## Background Information

### What is the Civil Money Penalty (CMP) Reinvestment Program?

The CMP Reinvestment Program (CMPRP) is an effort to drive improvements in the quality of life and quality of care provided for nursing home residents. The program aims to make improvements by equipping nursing home staff, administrators, and stakeholders with technical tools and assistance to enhance resident care.

### What are CMP funds and how is the CMPRP funded?

CMP stands for civil money penalty. It is a monetary penalty that CMS or the state may impose against skilled nursing facilities (SNFs), nursing facilities (NFs), and dually certified SNFs/NFs for being out of compliance with one or more Medicare and Medicaid participation requirements for long-term care facilities (42 CFR §488.430). These CMP funds must be used to conduct activities that support and protect nursing home residents.

For more information visit [Civil Money Penalty Reinvestment Program | CMS](#)



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# CMP Reinvestment Funds

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## General Information

### Who can apply for CMP Funds?

Requests to use CMP funds may be made by any entity, provided the responsible entity:

- Is qualified and capable of carrying out the intended project or use.
- Is not in any conflict-of-interest relationship with the entity that will benefit from the intended project or use.
- Is not paid by a federal or state source to perform the same function as the intended project or use.

Examples of eligible organizations include, but are not limited to:



Consumer Advocacy Organizations



Resident or Family Councils



Professional or State Nursing Home Associations



CMS Certified Long-Term Care Facilities (CNFs)



Vendors



State Agencies



Academic Institutions



Quality Innovation Network - Quality Improvement Organizations (QIN-QIO)

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# CMP Reinvestment Funds

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## Frequently Asked Questions

**Are non-certified Long-Term Care facilities eligible for these funds?** No, CMP funds can only be used to benefit residents in LTC facilities/nursing homes that are certified by CMS. LTC CMP funds cannot be used for settings such as assisted living facilities, hospitals, or adult day health care facilities.

**How long can a CMP project be implemented?** CMP projects cannot exceed three years (36 months), but there is no minimum time requirement.

**Is there a limit to the amount of CMP funds an application can request?** Kentucky does not have a ceiling on the amount of CMP funds an applicant may request. Project expenses must be reasonable and justified on the KY CMP Application Budget spreadsheet.

**Is there a limit to the number of facilities that can be supported in an application?** There is no limit to the number of Certified Nursing Facilities (CNFs) that may participate in a CMP project. The application must include a letter of support, or similar documentation, from all participating CNFs.

**Are there prohibited uses of CMP Funds?** Yes, CMP funds may not be used for uses prohibited by law, regulation, or CMS policy. For more information see [42 CFR §488.433](#), Chapter Seven (§ 7535) of the [State Operations Manual](#), and [S&C memorandum 12-13-NH](#).

### What can CMP funds be used for?



CMP Funds must be used to support activities that benefit residents in CMS-certified long-term care facilities.



Support and protection of residents of a facility that closes either voluntarily or involuntarily or is decertified.



Projects that support resident and family councils in assuring quality care in facilities.



Projects that support consumer involvement in assuring quality care in facilities.



Projects that support facility improvement initiatives.

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# Emergency Use of CMP Funds

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## Natural Disasters or Similar Emergencies

The OIG must maintain a reserve CMP fund amount in the event of a qualifying emergency. These funds are intended to provide emergency financial assistance to Medicaid/dually certified nursing facilities in the event of:

- Facility closure to ensure for adequate care, safety, and discharge/relocation of residents;
- Loss of resident property in the event of a qualifying disaster.

Reimbursement for resident property loss due to a qualifying disaster is covered only if the:

- Insurance policy does not cover the resident property loss; or
- Insurance policy does not cover the entirety of the resident property loss (underinsured).

A complete KY CMP Emergency Use Application and supporting documentation is required to be submitted to OIG to be considered for emergency fund assistance. OIG cannot guarantee payment in all qualifying cases.

Contact [CMPEApplication\\_OIG@ky.gov](mailto:CMPEApplication_OIG@ky.gov) to obtain an application.

### Qualifying disasters include:



Flood



Fire/Explosion



Tornado



Storm Damage

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# Emergency Use of CMP Funds

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## COVID-19 Emergency CMP Grants

The COVID-19 Emergency CMP Grants are temporary programs in place during the federal Public Health Emergency. Kentucky will continue to accept applications until CMS closes the programs. Please note that certified nursing facilities (CNFs) may apply for any or all three grant programs.

### COVID-19 In-Person Visitation Aid – Air Quality Grant



CNFs may apply for up to an additional \$3,000 of COVID-19 In-Person Visitation Aid funds to purchase portable fans and portable room air cleaners with high-efficiency particulate air (HEPA, H-13 or -14) filters to increase or improve air quality.

### COVID-19 In-Person Visitation Aid Grant



Certified nursing facilities may apply for up to \$3,000 of CMP funds to purchase in-person visitation aids including installation, installation materials, and shipping costs for the in-person visitation aids.

Allowable aids include tents/outdoor shelter (purchase and/or rental), outdoor furniture, clear dividers, portable air conditioning or heating units, and lighting systems.

### COVID-19 Communicative Technology Grant



CNFs may apply for a CMP fund grant for up to \$3,000 to purchase certain communicative devices and accessories to allow residents to communicate remotely due to COVID-19 restrictions.

1. Devices should be shared among residents, with a ratio of 1 device to 7-10 residents.
2. Devices must be able to support both virtual social and telehealth visits.

## How to Apply

Applications for the CMP Reinvestment Fund and the COVID-19 Emergency CMP grants can be found at [Civil Money Penalty Funds - Cabinet for Health and Family Services \(ky.gov\)](#).

- Email completed applications to: [CMPSApplication\\_OIG@ky.gov](mailto:CMPSApplication_OIG@ky.gov)
- For questions and/or assistance please contact:

Lena Mullins-Datko  
Grants Administrator  
502-564-2888 ext.3341

[Lena.mullinsdatko@ky.gov](mailto:Lena.mullinsdatko@ky.gov)

Or

[CMPSApplication\\_OIG@ky.gov](mailto:CMPSApplication_OIG@ky.gov)

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## About Us

The Office of Inspector General is the regulatory and licensing agency for all health care, day care and long-term care facilities and child adoption/child-placing agencies in the commonwealth.

For more information visit our website at [Office of the Inspector General - Cabinet for Health and Family Services \(ky.gov\)](#).