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**Center for Clinical Standards and Quality**

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**Admin Info: 25-04-NH**

**DATE:** December 20, 2024

**TO:** State Survey Agency Directors

**FROM:** Directors, Quality, Safety & Oversight Group (QSOG) and Survey & Operations Group (SOG)

**SUBJECT:** Civil Money Penalty Reinvestment Program (CMPRP) Revisions to the Application Submission Process

**Memorandum Summary**

- **Civil Monetary Penalty (CMP) State Plans:** In accordance with 42 CFR 488.433(e), States must submit their CMP Reinvestment State Plans to the Central Office CMS CMPRP team by October 31st every year.
- **CMPRP Applications:** States will send their CMPRP project applications to the CMS CMPRP team.
- **Discontinuation of the Communication Technology and Visitation Aid category:** CMS will discontinue this category and will no longer accept new applications, effective January 1, 2025.

**Background:**

A CMP is an enforcement remedy that CMS may impose against skilled nursing facilities (SNFs) and dually certified SNF/NF (nursing facility) for non-compliance with Medicare and Medicaid requirements of participation. After CMPs are collected, a portion is provided back to the State. Federal law and regulation at 42 CFR 488.433(a)-(b) provides that CMP funds may be used to support activities that protect or improve residents' quality of care or quality of life. Additionally, 42 CFR 488.433(e) requires that "the State must maintain an acceptable plan, approved by CMS, for the effective use of civil money funds...". Currently, States submit CMPRP applications and state plans to their designated CMS locations for processing. The CMS location(s) review each application, rendering a decision to approve or deny the request for CMP funding and issuing a decision letter. Furthermore, CMS locations conduct reviews of state plans to determine approval or denial, ensuring alignment with the program goals and compliance under 42 CFR 488.433(e).

## **Revision of CMPRP Process**

CMS is revising the application and state plan process to simplify workflows and improve effectiveness. States will now submit state plans and applications to the CMS CMPRP team mailbox at [CMP-info@cms.hhs.gov](mailto:CMP-info@cms.hhs.gov). The CMS CMPRP team will manage the intake of state plans and applications, initiate the review process, and distribute decision letters. To streamline communication and enhance efficiency, the CMS CMPRP team will now coordinate all correspondence related to CMPRP.

## **Emergency Fund Use**

CMS locations will continue to manage emergency fund utilization, and states will continue engaging with CMS locations as this process remains unchanged.

## **Discontinuation of Communication Technology (CT) and Visitation Aid (VA)**

During the Public Health Emergency (PHE), CMS developed applications to facilitate visitation and prevent the spread of COVID-19 infection. Since the PHE ended in May 2023, CMS will discontinue the CT/VA category and no longer accept new CT/VA applications, effective January 1, 2025.

## **CMPRP Website Resources:**

Following this memorandum, all resources on the CMPRP website will be updated to reflect the new process.

## **Contact:**

For questions or concerns about this memorandum, please contact [CMP-info@cms.hhs.gov](mailto:CMP-info@cms.hhs.gov).

## **Effective Date:**

Immediately. Please communicate to all appropriate staff within 30 days.

/s/

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Director, Survey & Operations Group

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## **Resources to Improve Quality of Care:**

*Check out CMS's new Quality in Focus interactive video series. The series of 10–15 minute videos are tailored to provider types and aim to reduce the deficiencies most commonly cited*

*during the CMS survey process, like infection control and accident prevention. Reducing these common deficiencies increases the quality of care for people with Medicare and Medicaid.*

*Learn to:*

- *Understand surveyor evaluation criteria*
- *Recognize deficiencies*
- *Incorporate solutions into your facility's standards of care*

*See the [Quality, Safety, & Education Portal Training Catalog](#), and select Quality in Focus.*

*Get guidance memos issued by the Quality, Safety and Oversight Group by going to [CMS.gov](#) [page](#) and entering your email to sign up. Check the box next to “CCSQ Policy, Administrative, and Safety Special Alert Memorandums” to be notified when we release a memo.*