

# Civil Money Penalty Funding Application Update

Centers for Medicare & Medicaid Services (CMS) made recent revisions to the structure of the [Civil Money Penalty Reinvestment Program](#) (CMPRP). The following information is to assist you in preparing for the next Civil Money Penalty (CMP) application cycle in January 2024.

A CMP is a monetary penalty CMS may impose against a nursing facility when a facility is not in compliance with one or more CMS participation requirements for long-term care facilities. A portion of CMPs collected from nursing facilities are returned to the states in which CMPs are imposed. State CMP funds may be reinvested to support activities benefiting residents and protecting or improving their quality of care or quality of life.

Before applying for CMP funds, be sure to read the CMS [memo](#) published on Sept. 25, 2023, explaining revisions to the structure of the [CMPRP](#). The Texas Health and Human Services Commission (HHSC) plans to host a webinar to guide nursing facilities through the CMP application process. Visit HHSC's CMP webpage for the latest version of the [CMP Application](#).

All application packets must be submitted to HHSC via email to [CmpApplication@hhsc.state.tx.us](mailto:CmpApplication@hhsc.state.tx.us).

## Prohibited CMP Expenses

CMP funds should not be used for items or services that are not related directly to improving the quality of life and/or care of nursing facility residents. CMS rules state CMP funds can't be used to pay for items or services that are the responsibility of the facility. Please refer to the Allowable and Non-Allowable Uses of CMP Funds under the Downloads section of the [CMP webpage](#).

## New CMP Application Budget Limits

The new guidance establishes limits to allowable CMP project funding, specifically:

- Resident or Family Council Projects—One-time funding of \$5,000 per facility.
- Consumer Information—One-time funding of \$5,000 per facility.
- Training—\$5,000 annually (maximum of \$15,000 for a three-year project). *ALL project materials—such as curriculum, websites, toolkits—should be developed prior to submission of an application.*

- Activities to Improve Quality of Life—\$5,000 annually (maximum of \$15,000 for a three-year project).

### **CMP Application Letters of Support**

Applications must have letters of support (commitment) from each nursing facility the project will be deployed to.

If you have questions, email [CmpApplication@hhsc.state.tx.us](mailto:CmpApplication@hhsc.state.tx.us).

### **CMS Feedback Request: Wireless Internet Access Questionnaire**

CMS is interested in learning more about wireless internet (Wi-Fi) access for residents within facilities. If your facility doesn't have facility-wide Wi-Fi access for residents, please fill out and submit the [Wi-Fi questionnaire](#) to CMS by Dec. 22, 2023, for CMS to explore the reasons and possible solutions.