

Virginia Department of Medical Assistance Services  
Civil Monetary Penalty Reinvestment Funds

-GUIDELINES AND INSTRUCTIONS-

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# Virginia DMAS Civil Monetary Penalty Reinvestment Funds

## -GUIDELINES AND INSTRUCTIONS-

### Introduction

The Civil Monetary Penalty (CMP) Reinvestment Fund is a federal fund collection of imposed penalties against certified nursing facilities deemed in non-compliance. These funds are used for projects that directly benefit individuals residing in a nursing facility.

States must receive final approval from the U.S. Centers on Medicare & Medicaid Services (CMS) for the use of the CMP Reinvestment funds.

**In Virginia, entities requesting CMP Reinvestment funds for a project must submit the request to the Virginia Department of Medical Assistance Services (DMAS). DMAS will review applications and make recommendations for funding prior to any submission to CMS for final approval.**

### Allowable and Prohibited Uses

ALLOWABLE	PROHIBITED
<ul style="list-style-type: none"><li>• Assistance to support and protect residents of a facility that closes (voluntarily or involuntarily) or is decertified (including offsetting costs of relocating residents to home and community-based settings or another facility)</li><li>• Projects that support resident and family councils and other consumer involvement in assuring quality care in facilities</li><li>• Facility improvement initiatives approved by the Secretary (including joint training of facility staff and surveyors, technical assistance for facilities implementing quality assurance programs, the appointment of temporary management firms, and other activities approved by the Secretary of U.S. Health and Human Services)</li></ul>	<ul style="list-style-type: none"><li>• Making capital improvements to a facility</li><li>• Paying for items or services that are already the responsibility of the nursing home</li><li>• Projects or activities intended to achieve compliance</li><li>• Funding projects, items, or services that are not related to improving the quality of life and care of nursing facility residents</li><li>• Projects for which a conflict of interest or the appearance of a conflict of interest exists</li><li>• Long term projects (greater than 3 years)</li><li>• Temporary manager salaries [broad use]</li><li>• Supplementary funding of federally required services</li><li>• Ombudsman salaries</li><li>• Salaries of nursing facility staff</li><li>• Nurse aide training (NATCEP)</li></ul>

Eligible applicants include licensed and Medicaid-certified nursing facilities, healthcare systems, state agencies, for-profit or non-profit organizations, provider associations, and universities. Individuals are not eligible for CMP Reinvestment funds. If you would like confirmation of your organization's eligibility to apply for CMP Reinvestment funds, please contact the Virginia CMP Program Analyst Team ([CMPFunds@dmas.virginia.gov](mailto:CMPFunds@dmas.virginia.gov)).

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The application process involves the submission of:

- The Request for Funding Cover Sheet
- The Project Application
- A Line-Item Budget

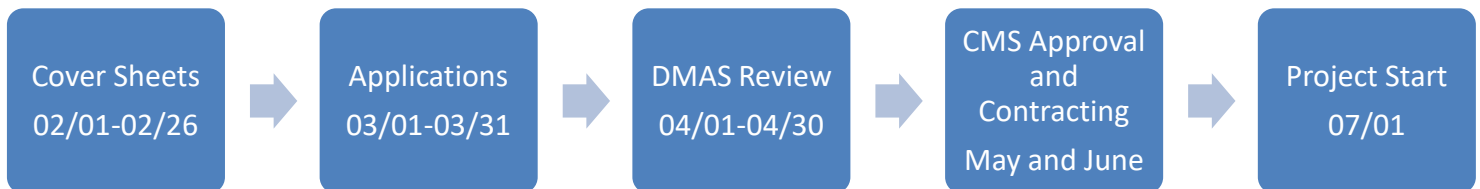
***New applications for projects with a beginning date of July 1, 2021, will be accepted from March 1, 2021 to March 31, 2021.***

DMAS shall conduct an initial review of all applications. DMAS will review the applications and make decisions on projects that will be recommended for funding to CMS no later than May 1, 2021. While reviewing applications, DMAS may submit to applicants a “Request for Additional Information (RAI)”. It is imperative that applicants who receive an RAI shall respond as soon as possible to ensure the review process is not delayed.

CMS will provide feedback to DMAS on the status of the CMP Reinvestment project funding recommendations within 45 calendar days of receipt. CMS will review applications in the order in which they are received. CMS may approve the request, deny the request, or ask that additional information be provided.

The contents of the Project Application are detailed below. All documents shall be submitted electronically via eVA.

***CMS has the ultimate and final decision for funding. Requests for funding that are denied by DMAS or CMS are not subject to appeal rights.***



## Project Application – Specific Guidelines

New project applications shall include the following identified sections:

APPLICATION ITEM	ADDITIONAL ELEMENTS
Title	
Abstract (250 words or less)	
Project Purpose and Summary	<ul style="list-style-type: none"><li>• Background and Project Need</li><li>• Goals and Objectives</li></ul>

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	<ul style="list-style-type: none"><li>• Project Design and Approach</li><li>• Benefits to Individuals</li><li>• Non-Supplanting</li></ul>
<b>Expected Outcomes</b>	<ul style="list-style-type: none"><li>• Outcomes</li><li>• Deliverables and Dissemination</li><li>• Sustainability</li></ul>
<b>Results Measurement</b>	<ul style="list-style-type: none"><li>• Specific Measures</li><li>• Methods for Measurement</li></ul>
<b>Personnel &amp; External Involvement</b>	<ul style="list-style-type: none"><li>• Consumer and Stakeholder Involvement in the Project</li><li>• Involved Organizations</li><li>• Defined Roles and Qualifications for Project Members</li></ul>
<b>Timeline</b>	
<b>Budget</b>	

Applications that are an extension of an approved CMP reinvestment project to new nursing facility location(s) do not have to complete the entire application. A project is considered an "extension project" if it is identical in project details to a project approved after April 1, 2018. For extension projects, applicants must submit the approval letter for the approved CMP reinvestment project and complete the following sections: **The Cover Sheet, Project Title, Abstract, Personnel & External Involvement, Timeline, Budget, and Attestation Statement.** Additionally, the applicant must submit results of the previously approved and completed project (if applicable), with confirmation by DMAS.

It is strongly encouraged that you use this guidelines document when completing the Project Application.

### **Title**

Give your project an appropriate and clear title.

### **Abstract**

Include an abstract for your project that is 250 words or less. Note that the abstract may be used to share information with the public about your project.

### **Project Purpose and Summary**

#### Background and Project Need

- ✓ Briefly present what the project aims to accomplish, for whom, and in collaboration with which partners.
- ✓ Highlight the mission of the applicant for which this request originates and how the applicant is positively contributing to the nursing facility community.
- ✓ Discuss the need for the project, identifying the relevant service gap areas for individuals in nursing facilities, and how individuals, families, or caregivers will be served from this intervention.

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- ✓ If applicable, provide a brief statement on the impact of previous projects that have improved the lives of individuals residing in nursing facilities.
- ✓ As appropriate, briefly showcase how this project will optimize the use of partnerships and propose a method for expanding the range of collaborations to ensure that the program is reaching the greatest number of residents as possible. Demonstrate that the proposed partnerships are relevant and appropriate.

### Goals and Objectives

- ✓ Identify/list appropriate goals for the project and highlight/list expected outcomes from the project implementation.

### Project Design and Approach

- ✓ Link the identified objectives with the project activities, describing how the project activities will result in fulfilled objectives.
- ✓ Detail how the project will specifically enhance the lives of individuals residing in nursing facilities in Virginia.
- ✓ Articulate the approach to implementing the program.
- ✓ Discuss potential and existing difficulties and obstacles that may impact the success of the project and how the applicant will overcome these challenges.
- ✓ Discuss how your project approach is person-centered and evidence-informed or evidence-based.
- ✓ Detail the service delivery plan and program development.
- ✓ State the instruments and methods to be used in measuring and evaluating outcomes.
- ✓ Outline the timeline and lay out a work plan that is clear and comprehensive and covers all years of the proposed project.

### Benefits to Individuals

- ✓ Specify how the project and its goals directly benefit the lives and quality of individuals residing in nursing facilities in Virginia.
- ✓ Be explicit about why this intervention is important the unmet needs that will be addressed through the project implementation.
- ✓ Address the expected impact on caregivers and how project efforts will positively affect the nursing facility community as a whole.

### Non-Supplanting

- ✓ Ensure that the project will not supplant existing responsibilities of the nursing facilities to meet CMS requirements or other statutory and regulatory requirements.
- ✓ Indicate and attest to how the project efforts, with regards to the use of personnel and time commitments, will not interfere with the care obligations and oversight expected of normal everyday facility activities.

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### Expected Outcomes

#### Outcomes

- ✓ Identify/list the measurable outcomes that are expected to result from the implementation and completion of this project.
- ✓ Detail how the anticipated final outcomes will contribute to the field as a whole.

#### Deliverables and Dissemination

- ✓ List project deliverables expected to be accomplished given the success of the project.
- ✓ Describe the means in which the project results are to be disseminated and to what target audience the information would be useful.
- ✓ Identify project material to be used in disseminating project information (i.e., conference presentations, web-based methods, media outreach, etc.).
- ✓ Will the information be used to further educate state and local partners? Does the project aim to use the results to inform state regulation and best practices, program, and policy development?

#### Sustainability

- ✓ Describe the plan for further development and/or continuation of the program after the grant period.
- ✓ Identify resources and avenues through which program activities can continue after CMP Reinvestment funding has ended.

### Results Measurement

#### Specific Measures

- ✓ Design and detail the plans and procedures for gathering the necessary information to be used to evaluate and measure the success of the goals and outcomes.
- ✓ The plan and procedures shall be practical in approach and be designed to determine the effectiveness of the project.
- ✓ It shall also provide evidence for discussion in the program evaluation, interim reporting, and final reporting.

#### Methods for Measurement

##### Plan and procedures shall:

- ✓ Identify how each specific outcome will be measured for success.
- ✓ Identify measurement instruments or various metrics to be used in determining the impact of program outcomes.
- ✓ Describe how the data will be analyzed and how it is manageable for the applicant.

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- ✓ Include information on any required Institutional Review Board (IRB) approvals.

*Note:* Outcomes are different from outputs. Outputs are often a simple reflection of the number of people served or the number of trainings conducted. Outcomes are measurable, observable impacts that go farther than outputs or result in the development of a new and successful model of services, training, or other tangible product. Outputs can be noted and included in a project proposal but shall not be used in place of outcomes.

### **Personnel and External Involvement**

#### Consumer and Stakeholder Involvement in the Project

- ✓ Identify the involvement consumers and stakeholders will have with the project.
- ✓ Detail the responsibilities these groups will have throughout the project, and be sure to specify decisions that require their input.

#### Involved Organizations

- ✓ Identify the organizations, groups, or individuals this intervention intends to collaborate with and define the roles and responsibilities of those entities. (If applicable)
- ✓ Be sure to include letters of support from participating organizations, as appropriate, that express their clear commitment to their agreed-upon responsibilities.
- ✓ Applicants that are not nursing facilities must provide letters of support from involved nursing facilities.

#### Defined Roles and Qualifications of Project Members

- ✓ Detail the roles and responsibilities of project staff, consultants, and partners, and how they relate to specific project objectives and tasks.
- ✓ Highlight the capabilities of proposed project directors and key staff members and how their background and experience working with nursing facilities deems them qualified to carry out their designated roles.
- ✓ State the necessary time commitments key project members are required to allocate toward the success of the project.

### **Timeline**

- ✓ Include a timeline and work plan based on the total number of years the project expects to receive funding.
- ✓ Detail the phases to take place throughout the project.
- ✓ The timeline shall be logical and realistic for completing the project.
- ✓ The timeline shall include a breakdown of monthly activities and who is responsible for each activity.

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### Budget

- ✓ The budget must consist of a Budget Narrative and a line-item spreadsheet.
- ✓ The Budget Narrative is included in the 10-page limit of the formal application and must justify line-item costs, including the indirect costs and cost-sharing amounts included in the spreadsheet.
- ✓ The line-item budget should be attached as an appendix and is not required to be included in the 10-page limit.
- ✓ Use the CMS CMP Microsoft Excel Budget Template, located on the CMP\_RP page on the DMAS website to detail the project's use of the funds.
- ✓ All costs associated with the implementation and completion of the project shall be identified in the budget, including administration costs, personnel payroll, and supplies, in addition to any other appropriate uses.
- ✓ The line-item budget shall be consistent with the work plan objectives and personnel involvement.
- ✓ The budget shall calculate amounts to be used for the entire timeline of the project.
- ✓ Each line-item cost shall include a justification (how you arrived at the overall cost).
- ✓ Any in-direct costs included shall be based on a federally-negotiated, reasonable rate, and evidence for the rate shall be provided as part of the proposal. This evidence may be presented as an appendix to the formal application.
- ✓ Include all fund matching and in-kind contributions.

### Forms

The following forms are used for receiving and evaluating CMP project proposals:

- CMP Request for Funding Cover Sheet
- CMP Request for Funding Project Application
- CMS CMP Budget Template
- CMP Project Proposal Guidelines and Instructions

## Project Proposal – General Formatting

Project proposals shall be typed, single-spaced, and in Times New Roman 12-point font.

The header of each page shall include the organization name. The footer of each page shall include the page number.

***The formal application shall not exceed 10 pages (not including the Request for Funding Cover Sheet, the Line-Item Budget spreadsheet).***

Below are some tips for preparing your project application:

- *Be clear and concise.* Provide accurate information, including accounts of problems and realistic plans to address them. Make sure the information provided in any tables,



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charts, attachments, etc., is consistent with the proposed narrative and information in other tables.

- *Be organized and logical.* Reviewers should be able to easily follow the flow of the application.
- *Carefully proofread the request.* Ensure spelling and grammar errors do not inhibit reviewers' ability to read and interpret the request.
- *Number every page to ensure compliance with the 10-page allowance.*
- Be sure to keep the use of abbreviations and acronyms to a limit and define them at first use.
- *Complete all sections of the application.* An incomplete application shall not be funded.

Project examples may be found on the DMAS website:

<http://www.dmas.virginia.gov/#/longtermprograms>

If you have any questions or concerns, you may contact the Virginia CMP Reinvestment Program Team at [CMPFunds@dmas.virginia.gov](mailto:CMPFunds@dmas.virginia.gov)

## Funding Parameters

Within the scope of allowable uses of CMP funds, DMAS further categorizes projects into the following focus areas:

- Culture Change (e.g., "Culture change" is the common name given to the national movement for the transformation of older adult services, based on person-directed values and practices where the voices of elders and those working with them are considered and respected.)
- Resident or Family Council
- Direct Improvements to Quality of Care
- Consumer Information (e.g., information that is directly useful to nursing home residents and their representatives to become knowledgeable about their rights, nursing home care processes, and other information useful to a resident)
- Transition Preparation for a Nursing Home Resident
- Training
- Other (must be specified).

Applicants shall provide sufficient descriptions of the project to provide reviewers clarity in how it benefits individuals in nursing facilities.

Allowable project periods cannot exceed three (3) years.

Applicants are encouraged to explore opportunities for in-kind or matching contributions for a project. While not required, these reflect an investment on the part of the applicant to commit to the project and all deliverables.

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While also not required, applicants are encouraged to collaborate with other organizations and entities in long-term care. Partnerships allow for an expanded impact and reflect a broader understanding and integration with improving nursing facility care.

### General Requirements for Funded Projects

If approved for CMP funds, applicants shall be required to complete and submit:

- An Interagency Agreement (if another state entity); or a contract with DMAS
- Monthly Invoices for Reimbursement
- Quarterly Project Updates to DMAS
- A Final Report and Presentation of Findings and Recommendations
- Other Additional Requirements for Contracts, Data Reporting, and Outcomes

\*DMAS shall determine the format and guidelines for the above items.

NOTE: No funds shall be released to the applicant without a complete and signed interagency agreement or contract. Applicants shall not receive retroactive reimbursement for expenses incurred prior to a signed interagency agreement or contract. If approved, applicants are highly encouraged to seek and receive written confirmation from DMAS detailing when funds can be expended.

Applicants are also required to review and submit:

- CMS Conflict of Interest Prohibition Statement
- CMS Attestation Statement

\*CMS has a predetermined format for the above items, and they are outlined in the Project Application.

More information on the contracting process and requirements will be made available to applicants who receive approval and funding for their projects. If an applicant has a question about the contracting process and/or contracting requirements, please contact the Virginia CMP Reinvestment Program Team at [CMPFunds@dmass.virginia.gov](mailto:CMPFunds@dmass.virginia.gov).

### DMAS CMP Fund Webpage

The following information is posted on the Civil Monetary Penalties tab in the Long-Term Care section of the DMAS website:

- CMP Request for Funding Cover Sheet 2021
- CMP Request for Funding Project Application 2021
- CMS CMP Budget Template
- CMP Project Application Guidelines and Instructions
- CMP 2021 Timeline
- CMP FAQs
- Information on Previously Funded Projects

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The webpage can be found at <http://www.dmas.virginia.gov/#/longtermprograms> under the Civil Monetary Penalties Tab.