

CMP Fund Program Highlights

Oklahoma CMP Fund Program Highlights, Allocation, & Projects February 2022

Civil Monetary Penalty (CMP) Revolving Fund Program for the Protection of the Health or Property of Nursing Home Residents per O.S. 63 §63-1-107.4

Background: CMP Funds are civil monetary penalties collected from nursing homes and redistributed by the Centers for Medicare and Medicaid Services (CMS). States are tasked with selecting and monitoring projects in accordance with state statute and CMS guidance.

- A total of four projects are currently funded, with two being “regular” CMP projects and two special COVID-19 related projects. Regular projects are funded up to three years with various phases of deployment and evaluation; for more details reference the project brochure. Data analytics is used to focus and evaluate efforts. Currently funded projects address:
 - Falls prevention by focusing on mobility
 - Optimizing medications
 - Improving dementia care
 - Increasing early recognition of decline
 - Culture change
 - Managing pain
 - Quality Assurance and Process Improvement (QAPI)
 - Educating providers, residents, and families
 - Providing person-centered oral health care
 - Infection control
- Funding Process:
 - Annual Request for Proposals are posted for general bidding; Solicitation is based on needs indicated by quality metric reporting and deficiency citation frequency/severity.
 - Other state agencies may apply for funding at any time (RFP not required)



- OSDH reviews proposals to ensure alignment with priority areas and use evidence-based approaches before submitting the applications to CMS for review.
- CMS approval is required for regular projects prior to expenditure of funds.
- CMS provided pre-approval for the COVID-19 related projects and states may approve funding for applications submitted following state guidelines.

- Balance and Expenditures:
 - Current CMP Balance \$2,993,897
 - Emergency Reserve Fund \$1,000,000
 - Annual Administrative Use \$ 179,537
 - Encumbered/obligated Funds \$ 710,407
 - CMP Fund Balance (02/22/22) \$1,103,953

Please reference the following pages for historical fiscal information and additional details about currently funded projects.

CMP Fund Program: Strategic Allocation

Civil Monetary Penalty (CMP) Revolving Fund Program for the Protection of the Health or Property of Nursing Home Residents O.S. §63-1-107.4

Executive Summary

The Oklahoma State Department of Health (OSDH) has the opportunity to improve the care provided to nursing home residents. The CMP Revolving Fund provides the means to do so within the limitations set forth by the Centers for Medicare and Medicaid Services (CMS). OSDH recommends utilizing the state solicitation process and agreements with other state agencies to fund effective quality improvement projects for the “protection of the health or property of residents of nursing facilities” in Oklahoma as directed by state statute.

Background

Federal and state law provide for the use of civil money penalties (CMP) to support activities that benefit nursing home residents, including projects that assure quality care and improve quality of life in nursing homes. These funds provide an opportunity to improve care in Oklahoma’s nursing homes pursuant to 63 O.S. §63-1-107.4 (2013).

Organizational Improvements

- Person-Centered Care
- Antipsychotic Use
- Oral Health-Care

Clinical Quality Measures

- Falls and Mobility
- Pressure Ulcers
- Vaccinations
- Urinary Tract Infections
- Incontinence
- Physical Restraints
- Help with ADLs
- Weight Loss
- Depression
- Antipsychotic Use
- Antianxiety/Hypnotic Use
- Dementia Care



Resource Allocation Plan

Oklahoma will utilize the solicitation process and agreements with other state agencies to fund innovative, effective programming. A standing project to assist nursing homes to develop and successfully implement quality assurance and process improvement for their programs will be established and funded through the RFP process. Revenue projections are based on the annual average of previous fiscal years. As revenue allows, additional proposals will be considered for funding.

Administrative Recommendations

- Provide a brief infusion of spending to discover effective approaches to quality improvement.
- Minimize administrative costs but maximize service with high-performing personnel.
- Prioritize funding areas by the performance of clinical quality measures.
- Fund priority areas with consideration to pandemic related needs and projects, as well as deficiencies and rankings.

CMP Fund Program: Projects

Civil Monetary Penalty (CMP) Revolving Fund Program for the Protection of the Health or Property of Nursing Home Residents O.S. §63-1-107.4

CMP Funds are civil monetary penalties collected from nursing homes and redistributed by the Centers for Medicare and Medicaid Services. States are tasked with selecting and monitoring projects and programs for the CMP Funds Reinvestment Program. Projects typically received funding approval as singular events or as programs lasting one to three years.

CMP Funds Program Administration

Provided by OSDH, PHS: This project authorizes the administration of the CMP Funds program to protect the health or property of residents of nursing facilities. The goal is to improve the quality of care and the quality of life for residents by delivering evidence-based practices into nursing homes.

Results: A full-time employee manages the program. Project and program development continues with stakeholders. A contractor's virtual network, webpages, and a project brochure are part of the program's communication plan. A national network for CMP programs continues and is co-hosted by Oklahoma and Tennessee. RFP cycles continue, however due to the pandemic a RFP has not been issued at this time.

Long-Term Care Leadership Academy in the Framework of the 4Ms (LTCLA-4)

Provided by Board of Regents of the University of Oklahoma Health Science Center: This project focuses on facility-wide adoption of the 4Ms Framework, an evidence-based model that places the resident at the center of care decisions and redirects staff actions on key risk factors for poor resident outcomes. The Academies provide an environment to develop leadership skills through education and mentoring of three levels of co-workers, with the goals of reducing turnover and implementing a quality improvement project within the 4Ms Framework.

OUHSC-4Ms	Approved Budget	Expended Funds Year 1-CY 2020	Expended Funds Year 2-CY 2021
03/01/20 to 01/21/23	\$912,514	\$152,939.69	\$188,583.60

Note: In 3rd year

OK Senior Smiles

Provided by Oklahoma State Department of Health—Dental Department

This program seeks to provide nursing home staff with the knowledge and tools to improve resident oral health in order to improve overall health and quality of life of residents. Program objectives include: a) Educate the nursing home (NH) staff and residents about the linkage between overall health and oral health to improve oral care; b) Development of an oral health toolkit, provide two (2) oral health trainings to NH staff, conduct ten (10) in-mouth basic screening surveys on 10 residents of participating facilities, and dissemination oral health materials to the public; c) Improve oral health, reduce pain, improve depressive symptoms, minimize weight loss, and encourage residents to aid with their own oral health; d) Targeted audience beyond nursing home residents are families, caregivers, certified nursing assistants, and public.

OK Senior Smiles 03/01/20 to 01/21/23	Expended Funds Year 1-CY 2020	Expended Funds Year 2-CY 2021
Approved Budget	\$139,655.80	\$251,161.00

Note: In 3rd year

COVID-19 Communication Technology Project

The Centers for Medicare & Medicaid Services (CMS) issued Guidance for Infection Control and Prevention of COVID-19.¹ The guidance directed nursing homes to significantly restrict visitors and nonessential personnel to protect nursing home residents. Recognizing that visitor restrictions may be difficult for residents and families, CMS approved requests for the use of Civil Money Penalty (CMP) Reinvestment funds to provide residents with adaptive communicative technologies.

Examples of allowable uses of CMP Funds for communicative technologies and accessories

Devices	Accessories
<ul style="list-style-type: none"> • iPad or iPad Mini • Amazon Echo Show • Kindle Fire • Microsoft Surface • Samsung Galaxy Tablet • Facebook portal • Or any other device 	<ul style="list-style-type: none"> • Protective covers that can be cleaned and disinfected • Assistive/adaptive equipment • Tripods (floor or table top) • Headphones • Tablet cleaning and disinfection products that are in accordance with recommendations of the device manufacturer

Oklahoma was able to approve up to \$2,500 per facility based on available funds following the one million in reserves required by CMS.

209 facilities applied for funding and \$356,826.90 was distributed for reimbursement of communication technology devices. Project ended 12/30/21.

COVID-19 In-Person Visitation Project

On September 17, 2020, in QSO Memo 20-39-NH, CMS issued new guidance for visitation in nursing homes during the COVID-19 PHE. The guidance provided reasonable ways a nursing home could safely facilitate in-person visitation to address the psychosocial needs of residents. To aid in safe in-person visitation CMS approved the use of CMP funds to purchase tents for outdoor visitation and/or clear dividers (e.g., Plexiglas or similar products) to create physical barriers to reduce the risk of transmission during in-person visits.

Oklahoma identified up to \$1,500 per facility could be approved for the In-Person Visitation Project.

Note: This project is ongoing and has not closed as of this report.