

Civil Money Penalty (CMP) Reinvestment Application Template Coronavirus Disease 2019 (COVID-19) In-Person Visitation Aids Request Instructions

On 2/2/2022, the Centers for Medicare & Medicaid Services issued a revised FAQ guidance for Nursing Home Visitation – COVID 19 (Refer to <https://www.cms.gov/files/document/qso-20-39-nh-revised.pdf>).

CMS is clarifying that CMPs can be used to purchase any of the following strictly for the purposes of in-person visitation:

A facility *has a second opportunity to* request the use of Civil Money Penalty (CMP) Reinvestment 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. *However, replacement filters cannot be purchased with these funds, as they are a prohibited expense.* A maximum use of \$3,000 per facility, including shipping costs *and taxes*, may be requested *even if a nursing home received up to \$3,000 for prior visitation aid purchases.* When utilizing these items for visitation purposes, facilities need to ensure appropriate life safety code requirements found at 42 CFR 483.90 are met, unless waived under the PHE declaration.

Expenses incurred on or after the release of Memorandum QSO-20-39-NH FAQ Revised February 2, 2022 are eligible for reimbursement. (Refer to <https://www.cms.gov/files/document/qso-20-39-nh-revised.pdf>).

In addition to the above revised guidance, the following guidance remains in effect:

On September 17, 2020, the Centers for Medicare & Medicaid Services (CMS) issued guidance for Nursing Home Visitation – COVID-19. By following a person-centered approach and adhering to the core principles of COVID-19 infection prevention, visitation can occur safely based on this guidance. Recognizing that considerations allowing for visitation in each phase of re-opening may be difficult for residents and their families, CMS has developed this application template for requests for the use of Civil Money Penalty (CMP) Reinvestment funds to provide nursing homes with in-person visitation aids.

Applicants shall submit this CMP Reinvestment Application to the applicable state agency (SA). The SA shall make a determination on the potential of the project to benefit nursing home residents and improve their quality of care and quality of life. The applicant will be notified by the SA about a funding decision, and applicants may contact the applicable SA with questions about their CMP Reinvestment Application.

NOTE: This template can only be used for in-person visitation aids for nursing homes.

CMS is clarifying that CMPs can be used to purchase any of the following strictly for the purposes of in-person visitation:

- tents or other shelter for outdoor visitation (purchase and/or rental); and/or
- clear dividers (e.g., Plexiglas or similar product) to create a physical barrier to reduce the risk of transmission during in-person visits.

Funding is also limited to a maximum of \$3,000 per facility which can include installation, installation materials, and shipping costs for allowable items mentioned above. When installing any items for visitation purposes, facilities need to ensure appropriate life safety code requirements found at 42 CFR 483.90 are met, unless waived under the PHE declaration.

Expenses incurred on or after the release of Memorandum QSO 20-39-NH (September 17, 2020) are eligible for reimbursement.

Prohibited expenses include but are not limited to:

- Ventilation systems
- *Replacement filters*
- Personal Protective Equipment (PPE)
- Portable fire extinguishers of approved types
- Disinfectant and Cleaning Supplies (Disinfectantwipes, hand sanitizer, etc.)
- COVID-19 testing and testing equipment
- No-Smoking signage
- Administrative fees
 - o i.e., payment of individuals to help administer the program
- Indirect Cost. For example: federally determined indirect (facilities and administrative-F&A or overhead) costs such as staff fringe benefits, facility maintenance, rent, or utilities.
- Travel expenses

1. Project and Applicant Requirements to use the In-Person Visitation Aids Application Template.

Projects must:

- Directly address the need to facilitate in-person visits for residents.
- Fall within the following parameters for use of funds:
 - Funds must only be used to purchase the types of visitation aids described above.
 - Tent or other shelter must allow for social distancing to be observed.
 - Maximum allowance of \$3,000 per facility for tents or other shelter for outdoor visitation and/or clear dividers
 - Maximum allowance of \$3,000 per facility for indoor portable fans and/or indoor portable air cleaners.
- Ensure appropriate LSC requirements found at 42 CFR 483.90 are met, unless waived under the PHE declaration.
- Ensure core principles of infection prevention and control practices. Surfaces must be cleaned and disinfected between resident use.
- *Follow the latest visitation guidance in Memorandum QSO 20-39-NH*

To be considered for funding, each application must include the following information:

- Name(s) of facility(ies) to receive visitation aids (and CMS Certification Numbers (CCNs)).
- Number of certified facility beds.
- Type(s) of visitation aids.
- Cost per visitation aid.
- Total number of visitation aids requested.
- Total funds requested.

2. Eligibility Guidelines – confirm this project meets criteria outlined in Section 1.

Yes No

3. Applicant Contact and Background Information

Organization Contact Information	
Contact:	
Name:	
Phone:	
Email:	
Address:	
State:	

4. Total CMP Fund Request Amount

Note: this amount should match the total cost of the items in section 5 below, in addition to items in the addendum (section 7).

5. Budget

Applicants must provide a line-item budget for all items, broken down per facility, for which CMP funding is requested. All items must directly relate to in-person visitation aids.

Facility Name	CMS Certification Number (CCN)	Number of Certified Facility Beds	Type of Visitation Aids (e.g., tents, clear dividers, installation, installation materials, shipping costs, and/or indoor portable fans, indoor portable air cleaners, shipping costs)	Cost per Visitation Aid	Number of Visitation Aids	Total Cost per Facility
TOTAL PROJECT COST						

If the project includes more items than will fit in the table above or the addendum section below, please provide a complete record in an Appendix.

6. Attestation Statement

CMP funds have been provided for the express purpose of enhancing quality of care and quality of life in nursing homes certified to participate in Title 18 and Title 19 of the Social Security Act. **Applicants cannot use the standard CMP application process to supplement their visitation aid request to obtain additional in-person visitation aids in excess of the \$3,000 maximum limit for tents and clear dividers, and/or \$3,000 maximum limit for indoor portable fans and/or indoor portable air cleaners with high-efficiency particulate air (HEPA, H-13 or -14) filters to increase or improve air quality.** By signing below, you are confirming that everything stated in this application is truthful and you are aware and in compliance with the CMP project and applicant requirements.

Name of the Applicant (print):	
Date of Signature:	
Signature of the Applicant:	

