

IMPORTANT NOTICE – PLEASE READ CAREFULLY
(Receipt of this notice is presumed to be February 7, 2020 – Date notice emailed)

Dr. Sumathi Misra
2525 West End Avenue, STE 450
Nashville, Tennessee 37203-1775
Sumathi.misra@vumc.org

Mr. D. Clinton Brown
Vanderbilt University Medical Center
Office of Sponsored Programs
3319 West End Avenue, STE 970
Nashville, Tennessee 37203-6856
sponsoredprograms@vumc.org

RE: Request for State Use of CMP Funds
2019-04-TN-1216
Approved for \$593,300.00

Dear Dr. Misra and Mr. Brown:

Sections 1819(h)(2)(B)(ii)(IV)(ff) and 1919(h)(3)(C)(ii)(IV)(ff) of the Social Security Act incorporate specific provisions of the Patient Protection and Affordable Care Act pertaining to the collection and uses of civil money penalties (CMPs) imposed by the Centers for Medicare & Medicaid Services (CMS) when nursing homes do not meet requirements for long term care facilities. In accordance with 42 CFR § 488.433 and CMS Survey & Certification Memo 12-13-NH (effective January 1, 2012) States must obtain approval from CMS for the use of federally imposed CMP funds.

Our office has reviewed the proposal submitted by Vanderbilt University Medical Center for \$593,300.00 to implement a program titled, “*ENHANCE*” which means *Empowering Nursing Homes to Accomplish Nuanced Communication Expertise and Goals of Care Discussions in TN Long Term Care Facilities*. The project involves eighteen (18) nursing homes in rural and distressed communities. Residents, family members, clinicians and staff in each participating facility will learn effective communicate skills, and how to conduct conversations that will elicit the individual preferences of each resident. In addition, residents, family members and staff will be trained on advanced care planning and physician orders for life sustaining treatment (POLST). The project via the proposed interventions will directly impact the quality of life of residents, morale of the staff, and delivery of the right care at the right time for the right residents based on their preferences. This is a three (3) year project.

Based on our review, we find that the requirements at 42 CFR § 488.433 are met and that the proposal may be funded with federally imposed CMP funds. Acceptance of CMP funds by Vanderbilt University Medical Center (VUMC) requires the organization to:

- Ensure that participating nursing homes in rural and distressed communities are registered with Alliant Quality, the Tennessee Quality Improvement Organization (QIO);
- Ensure that one and two-star nursing homes are registered with Alliant Quality, the Tennessee Quality Improvement Organization (QIO);
- Submit a quarterly report to the State Survey Agency and CMS on the progress of the project;
- Disclose whether the ENHANCE project increases resident and family participation in advanced care planning;
- Make a diligent and concerted effort to include the hospice organization in the goals of care (GOC) conversations when a resident elects the Medicare Hospice benefit;
- Provide routine updates on the project to the Medical Director of each participating nursing home, and to elicit their input and feedback on how to foster improvements throughout the project;
- Submit a quarterly report to the State Survey Agency (SSA) and CMS on the progress of the project;
- Schedule a conference call with the SSA and the CMS Atlanta office twice annually to provide an update on the project;
- Submit an annual report at the end of each year summarizing the challenges, lessons learned and best practices;
- Funding for Year Two is contingent upon VUMC meeting the project deliverables specified in Year One.
- Funding for Year Three is contingent upon VUMC meeting the project deliverables specified in Year Two, and sustaining the project deliverables in the nursing homes participating in Year One of the project.

Quarterly reports shall include a cover letter with the name of the project leader, along with their telephone number and e-mail address; and the CMP request number 2019-04-TN-1216 on all pages of the report and narrative. Submit quarterly reports to:

Stephanie M. Davis, MS., RD
 Survey & Enforcement Division
 Centers for Medicare & Medicaid Services
 Center for Clinical Standards & Quality
 Sam Nunn Atlanta Federal Center
 61 Forsyth Street, S.W., Suite 4T20
 Atlanta, Georgia 30303

In accordance with 42 CFR § 488.433, states must make information about the results of projects funded by CMPs available to the public. States must submit results of projects using the CMP Reinvestment State Plan Project Tracker, due annually in February and posted on the CMS CMPPR website.

If you have any questions regarding this matter, please contact Stephanie M. Davis LTC Enforcement Branch at (404) 562-7471.

Sincerely,



for: Linda D. Smith, Director
Atlanta Division of Survey & Enforcement
Center for Clinical Standards & Quality

cc: Vincent Davis
Sally Pitt
Shaquallah Shanks
Louise Ryan
CMPRP Team