

Department of Health & Human Services
Centers for Medicare & Medicaid Services
Center for Clinical Standards & Quality
61 Forsyth Street, SW, Suite 4T20
Atlanta, Georgia 30303-8909



IMPORTANT NOTICE – PLEASE READ CAREFULLY
(Receipt of this Notice is Presumed to be July 13, 2020 -Date Notice E-mailed)

July 13, 2020

Ms. Dottie Lyvers
Aging Director
Knoxville-Knox County Community Action Committee Office on Aging
2247 Western Avenue
Knoxville, Tennessee 37921
Dottie.Lyvers@knoxseniors.org

Re: Request for State Use of CMP Funds
CMP Request No. 2020-04-TN-0428
CMP Fund Request Approved- \$284,396.00

Dear Ms. Dottie Lyvers:

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 Knoxville-Knox County Community Action Committee Office on Aging for \$284,396.00 to implement a program titled, "Preventing Abuse, Neglect and Exploitation (PANE) Project." Currently, there are more than 1,900 residents living in the 14 nursing facilities in Knox County. Eight (8) of the 14 nursing facilities have a Star Rating between one (1) and three (3). The PANE Program will target nursing facilities that have the lowest CMS Star Ratings and will aim to improve the overall Star Rating by enhancing quality measures and improving future health inspections. The proposed training will provide nursing facility staff with the knowledge and education to better identify, address and prevent elder abuse, neglect and exploitation in the nursing home population, thereby improving both the quality of life and the quality of care of nursing home residents. This is a three-year project. The focus areas for the training will include: what elder abuse and neglect looks like, how to screen for it, how to report suspected abuse, mandatory reporting requirements, and caregiver stress reduction strategies.

Based on the CMP application request and additional information provided for review, the CMP request has been approved. Acceptance of CMP funds by Knoxville-Knox County Community Action Committee Office of Aging requires the applicant to:

- Review the CMP project and deliverables with Alliant Quality, the Tennessee Quality Improvement Organization (QIO);
- Ensure that all participating nursing homes are registered with Alliant Quality;
- Provide a list of participating nursing homes to CMS, Alliant Quality and the State Survey Agency;
- Incorporate information on the Elder Justice Act into the PANE training project;
- Submit a quarterly report; and
- At least annually, submit a written report detailing challenges and best practices identified for protecting residents from abuse, neglect, exploitation and misappropriation of resident property.
- Following the submission of the annual report, the Project Leader shall schedule a conference call with CMS and the State Survey Agency to discuss the project outcomes and lessons learned.

Quarterly reports on this project and a final report summarizing lessons learned will be sent to CMS, with CMP request number 2020-04-TN-0428 included on all pages of the report. Please address correspondence for CMS 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 St., Suite 4T20
Atlanta, Georgia 30303-8909
Electronically to: Stephanie.Davis@cms.hhs.gov

This CMP request was made possible by the Centers for Medicare and Medicaid Services (CMS) in partnership with the Tennessee Department of Health and the Tennessee State Agency.

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

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

Sincerely,

Stephanie M. Davis for

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

cc: Stephanie M. Davis
Louise Ryan
Vincent Davis
Sally Pitt
Shaquallah Shanks
Kristyn Long
Alliant Quality
CMPRP Team