

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



IMPORTANT NOTICE – PLEASE READ CAREFULLY
(Receipt of this Notice is Presumed to be August 19, 2019 -Date Notice E-mailed)

August 19, 2019

Ms. Pam Brandon
Founder and President
AGE-u-cate Training Institute
401 Harwood Road, Suite B
Bedford, Texas 76021
pam@ageucate.com

Re: Request for State Use of CMP Funds
CMP Request No. 2019-04-TN-0625
CMP Fund Request Approved- \$147,419.00

Dear Pam Brandon:

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.

The CMS Atlanta Regional Office has reviewed your civil money penalty (CMP) request seeking \$147,419.00 to help 27 Late Adopter nursing homes in Tennessee to improve the care provided to residents with dementia by incorporating compassionate touch into day-to-day dementia care practices. The title of the CMP project is “Compassionate Touch: A Practical Non-pharmacological Approach to Ease Behavioral Symptoms, thereby Supporting Nursing Homes’ Effort to Minimize the Use of Antipsychotic Medications for Dementia-related Behaviors.” The purpose of the one-year project is to provide a non-pharmacological solution to support nursing homes’ effort to minimize the use of antipsychotic medications for dementia related behaviors.

Customized compassionate touch training and tools will also be provided to Tennessee state surveyors, the Long Term Care (LTC) Ombudsman and staff of the Tennessee Quality Improvement Organization.

Congratulations, the CMP request has been approved for AGE-U-CATE to work with Tennessee nursing homes classified by CMS as “Late Adopters.” Acceptance of CMP funds by AGE-u-cate Training Institute requires the organization to meet all deliverables specified in the CMP program application, measure results and monitor the use of Compassionate Touch training and implementation by CT Coaches. Announcements and articles may only be incorporated into newsletters distributed by Late Adopter nursing homes.

Reporting on the CMP project is an important and integral aspect of receiving civil money penalty (CMP) funds from CMS. Reports should provide information on how each Late Adopter nursing home has incorporated compassionate touch practices into day-to-day operations and dementia care practices. In addition, the report shall address all deliverables and activities stated in the original CMP request; as well as, any new findings, pitfalls, successes and updates on the “Compassionate Touch” project. Of particular interest, is how the use of compassionate touch techniques enhances the quality of care and quality of life for those residents living with dementia, and the impact of compassionate touch on anti-psychotic medication use in each participating Late Adopter nursing home.

Quarterly reports shall include a cover letter with the name of the facility; the name of the project leader, along with their telephone number and e-mail address; the CMS Certification number, and the CMP request number 2019-04-TN-0625 on all pages of the report and narrative. Submit quarterly reports to:

Stephanie M. Davis, MS., RD
LTC Certification & Enforcement Branch
Centers for Medicare & Medicaid Services
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W., Suite 4T20
Atlanta, Georgia 30303

A final report summarizing the outcomes and benefits to residents shall be submitted to CMS at the conclusion of the year. Further, for the duration of the CMP project, AGE-u-cate Training Institute shall review any draft press releases with the CMS Press Officer for approval, in advance of publication or distribution to media outlets, magazines or newsletters.

State use of civil money penalty fund requests are not subject to an appeal. This CMP request was made possible by the Centers for Medicare and Medicaid Services (CMS) in partnership with the Tennessee State Agency.

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
Associate Regional Administrator
Division of Survey & Certification

cc: Stephanie M. Davis
Sally Pitt
Jacy Weems
Shaqualla Shanks
Louise Ryan
CMPRP Team