



STATE OF NEW HAMPSHIRE

FIS 20 016

DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF LONG TERM SUPPORTS AND SERVICES

BUREAU OF ELDERLY AND ADULT SERVICES

Kerrin A. Rounds
Acting Commissioner

Deborah D. Scheetz
Director

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~~APPROVED BY FISCAL COMMITTEE~~

~~JAN 15 2020~~

December 17, 2019

The Honorable Mary Jane Wallner, Chairman
Fiscal Committee of the General Court, and

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a, VI, authorize the Department of Health and Human Services, Division for Long Term Supports and Services to budget and expend prior year carry forward Civil Monetary Penalty (CMP) funds from the Dedicated Fund established in the amount of \$1,113,509 effective upon date of Fiscal Committee and Governor and Executive Council approval, through June 30, 2020, and further authorize the funds to be allocated as follows. 100% Federal Funds.

05-95-48-482010-21650000 HEALTH AND SOCIAL SERVICES, DEPT OF HEALTH AND HUMAN SVCS, HHS: DIVISION OF ELDERLY & ADULT SVCS, WAIVER AND NURSING FACILITIES, CIVIL MONETARY PENALTIES

Class/Object	Class Title	Current Authorized Budget	Increase/ (Decrease) Amount	Revised Modified Budget
SFY 2020				
000-404079	Federal Funds	\$156,060	\$1,113,509	\$1,269,569
	General Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Total Revenue		<u>\$156,060</u>	<u>\$1,113,509</u>	<u>\$1,269,569</u>
041-500801	Audit Fund Set Aside	\$156	\$1,114	\$1,270
102-500731	Contracts for Program Svcs	<u>\$155,904</u>	<u>\$1,112,395</u>	<u>\$1,268,299</u>
Total Expense		<u>\$156,060</u>	<u>\$1,113,509</u>	<u>\$1,269,569</u>

EXPLANATION

The purpose of this request is to budget penalties previously collected and carried forward from FY19. Civil Money Penalties (CMP) are fines nursing homes must pay The Center for Medicare and Medicaid Services (CMS) by law when they are noncompliant with certain regulations and there are serious concerns about the safety and quality of care they provide. CMP funds collected by a state must be applied to the protection of the health or property of residents of nursing facilities. This includes, but is not limited to, costs associated with the relocation of residents to other facilities in the event of a facility closure, maintenance of operation of a facility pending correction of deficiencies or closure, and reimbursement of residents for personal funds or property lost at a facility as a result of actions by the facility or by individuals used by the facility to provide services to residents. The Civil Monetary Penalties fund for the State of NH has been used to improve residents' quality of life by equipping nursing home staff, administrators and stakeholders with technical tools and assistance to enhance resident care. Programs such as Music & Memory have been training long-term care providers to bring music into the lives of the elderly or infirm through digital music, vastly improving quality of life.

Funds will be used for:

- Class 041 Audit fund set aside expense.
- Class 102 These efforts will address New Hampshire's needs and opportunities in alignment with Departmental goals. Funds will be used to administer various programs in Nursing Facilities throughout the state. The facilities will receive a toolkit that utilizes elements of the Quality Assurance Performance Improvement process to fully integrate the programs into their operations, to aid in sustainability.

Area served: Statewide.

Source of Funds: 100% Federal from the Center for Medicare and Medicaid Services.

In the event that federal funds become no longer available, general funds will not be requested to support the program expenditures.

Respectfully submitted,



Kerrin A. Rounds
Acting Commissioner