



150 State Street, Suite 301 Albany, New York 12207-1698 Telephone (518) 449-2707 Fax (518) 455-8908 Web [www.nyahsa.org](http://www.nyahsa.org)

## **CMS Issues Letter Regarding Use of Survey Penalty Funds**

**ABSTRACT:** CMS survey and certification letter clarifies use of CMP funds.

On June 19, 2009, the Centers for Medicare and Medicare Services (CMS) issued a Survey and Certification (S&C) letter supplementing the previous S&C letter, "Use of Civil Money Penalty Funds by States" (8/8/02). The new S&C letter:

- Clarifies that states may direct collected civil money penalty (CMP) funds to entities other than nursing homes as long as the funds are used in accordance with statutory intent;
- Shares innovative practices that states may want to consider when making decisions about how CMP funds can be directed and used to improve the quality of care and life for nursing home residents: and
- Announces that CMS will consider reporting CMP amounts that have been returned to each state.

The following link provides additional detail:

[http://www.cms.hhs.gov/SurveyCertificationGenInfo/downloads/SCLetter09\\_44.pdf](http://www.cms.hhs.gov/SurveyCertificationGenInfo/downloads/SCLetter09_44.pdf)

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