



December 3, 2018  
(E-mail only)

Amy Hogan  
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**SUBJECT: Approval of Request to Use CMP Funds**

Dear Ms. Hogan:

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 AGE-u-Cate Training Institution for \$687,904.00 to implement a program titled *Compassionate Touch*. This project will directly benefit nursing home residents by providing non-pharmacological strategies, i.e. skilled touch techniques and specialized communication, which will strike at the underlying causes of negative, behavioral expression in participating residents: improving their overall quality of life.

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.

If you have any questions regarding this decision, please contact Jan Suzuki at (312) 886-5209.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Ay".

Jean Ay  
Branch Manager  
Long-Term Care Certification & Enforcement Branch

cc: CMS Quality Assurance