



September 26, 2014
(email only)

Debra L. Moscardino, Bureau Chief
Bureau of Long Term Care Services and Supports
Ohio Department of Medicaid
50 West Town Street, Suite 400
Columbus, Ohio 43215

SUBJECT: Approval of Request to Use CMP Funds

Dear Ms. Moscardino:

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 CMS Survey & Certification Memo 12-13-NH, effective January 1, 2012, States must obtain approval from CMS for the use of federally imposed civil money penalty (CMP) funds.

Our office has reviewed your recommendation to use \$400,000.00 of CMP funds for the Ohio Office of the Ombudsman to implement a Music & Memory program in 400 nursing homes. 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 approval, please contact Mai Le-Yuen at (312) 353-2853.

Sincerely,

A handwritten signature in black ink, appearing to read "GB", with a long, sweeping horizontal line extending to the right.

Gregg Brandush
Branch Manager
Long-Term Care Certification & Enforcement Branch

cc: CMS Quality Assurance