

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



IMPORTANT NOTICE – PLEASE READ CAREFULLY
(Receipt of this Notice is presumed to be October 25, 2018 -Date Notice E-mailed)

October 25, 2018

Mr. Frank J. Gattuso, Jr.
Chief Executive Officer
Ave Maria Home
2805 Charles Bryan Road
Bartlett, Tennessee 38134
fjg@avemariahome.org

Re: Request for State Use of CMP Funds
CMP Request No. 2018-04-TN-0831
CMP Fund Request Approved

Dear Mr. Frank Gattuso:

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 Ave Maria for \$60,356.00 (0 to implement a program titled *It's Never Too Late for Ave Maria Nursing Home Elders*. The applicant aims to employ the evidence-based *It's Never 2 Late (iN2L) Mobil Flex Lite Engage* system for the Ave Maria nursing home. With it, nursing home staff will be able to offer stimulating, enriching activities for elders with a wide range of physical and cognitive abilities. This will promote better health among residents, encourage socialization, help elders stay connected to the world around them, and help combat feelings of isolation and depression, thereby providing a higher quality of life. The Mobil Flex Lite Engage system aligns with Ave Maria's mission and will complement the current activity and therapy programs.

Congratulations, CMS has approved the usage of CMP funds to purchase iN2L computer technology. Acceptance of CMP funds requires Ave Maria Home to submit quarterly reports to CMS on the "It's Never Too Late for Ave Maria Nursing Home Elders" project. The facility shall also provide CMS with a copy of the written contract with the state regarding this project and CMP funding. The facility shall be responsible for all costs associated with the iN2L system following completion of the three-year project, including maintaining subscription and training costs, and related fees for internet access.

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 2018-04-TN-0831 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 4120
Atlanta, Georgia 30303

The facility shall submit a final report at the conclusion of the project that discusses best practices in resident care resulting from using iN2L adaptive computer technology to improve quality of life.

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 Survey Agency. If you have any questions regarding this matter, please contact Stephanie M. 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, MS., RD
Chelsea Ridley
Sally Pitt
Jacy Weems
Louise Ryan
Vincent Davis