

**Outline of Civil Money Penalty Advocacy Strategies for LTC  
Ombudsmen & Advocates**

*Nursing home Civil Money Penalties (CMPs) are a unique and potent resource. Federal CMPs must be used to support activities that protect residents or improve resident care and quality of life. Importantly, they can only be used for activities that go beyond what facilities are already required to provide under current standards. In addition to nursing homes, consumer groups, LTC Ombudsmen and Family Councils can be qualified recipients of funding for CMP supported activities.*

*The 2010 Affordable Care Act set forth major improvements re. public transparency and how the funds may be used. The federal guidelines on the uses of CMPs were released in September 2011. For more information and materials on CMPs, including the federal guidelines, go to [www.nursinghome411.org](http://www.nursinghome411.org) & click on "Civil Money Penalties" on the left hand side.*

1. Educate the policy makers in your state. Strong collection and beneficial use of CMPs/fines depends "buy in" of state policy makers. You can use the information from LTCCC's website as a basis for making the case to policy makers in your state. If possible, bring together other groups and individual consumers to join meetings with policy makers, or provide them with talking points to use on their own.
  - a. Meet with legislators.
  - b. Meet with government agencies.
  - c. Meet with your governor.
2. Educate the public in your state. It is crucial for the public to know that fines against nursing homes can be a source of funding for programs or projects that could improve nursing home care and quality of life. Use the resources on [www.nursinghome411.org](http://www.nursinghome411.org) to develop your own materials. Learn about how CMPs/fines are levied, collected and used in your state. Put this information in:
  - a. Any newsletter you publish.
  - b. Your web site (feel free to link to CMP Project page on [www.nursinghome411.org](http://www.nursinghome411.org)).
  - c. An article in newsletters of other groups or communities.
  - d. Letters to the editor in local papers.
3. Promote grassroots action. Urge individuals to:
  - a. Write letters (if possible, using sample letters you have written) to policy makers in your state – legislators, the governor, aging agencies, health department, etc.
  - b. Write letters to the editor of local papers.

- c. Meet with their political representatives (as mentioned in #1 above).
4. Participate in the decision-making process on how to use the funds to improve nursing home care and quality of life.
5. If your state is already using the funds and/or begins to use the funds after your advocacy:
  - a. Propose projects or programs for funding that reflect the new federal guidelines on CMPs and consumer recommendations, both posted on [www.nursinghome411.org](http://www.nursinghome411.org).
  - b. Request to be part of the review process for both selection and evaluation of programs/activities.
  - c. Request information on CMPs/ fines levied and collected in your state – use this information to continue informing the public.
6. Additional recommendation for Long Term Care Ombudsmen and others who might have government affiliation:
  - a. Use your position in state government and/or your government contacts to influence the state to levy civil money penalties (if
  - b. they are not doing so already) and to use the funds to improve resident care beyond existing statutory requirements.
  - c. Request to be part of review process in both project selection and evaluation.
7. If you are working with providers urge them to:
  - a. Promote quality of care so that CMPs/fines do not need to be levied.
  - b. Work with other stakeholders to ensure that CMPs/fines collected are appropriately used to improve the resident experience.
  - c. Disseminate these materials and other information on CMPs/fines. Distribute information:
    - At conferences;
    - On-line; and
    - Through communications with your members (such as newsletters).
  - d. Meet with government agencies:
    - Give them input on what types of projects would most improve the lives of your residents and
    - Promote the use of CMPs/fines to improve quality of life and consumer involvement.
  - e. Advocate for legislation that will require fines collected to be used for programs that improve resident quality of life.

**FOR MORE DETAILED INFO ON CMPs VISIT [WWW.NURSINGHOME411.ORG](http://WWW.NURSINGHOME411.ORG).  
CLICK ON THE "CIVIL MONEY PENALTIES" TAB ON THE LEFT HAND SIDE.**