**Section 425.115 CMP Fund Uses**

a) CMP funds shall only be used as follows:

1) To support activities that protect or improve the quality of care or quality of life for residents, including but not limited to:

A) Assistance to support and protect residents of a facility that voluntarily or involuntarily closes or is decertified;

B) Time-limited expenses incurred in the process of relocating residents to home and community-based settings or another facility when a facility is voluntarily or involuntarily closed or downsized pursuant to an agreement with the State Medicaid Agency;

C) Projects that support resident and family councils and other consumer involvement in assuring quality care in facilities;

D) Facility improvement initiatives, such as joint training of facility staff and surveyors or technical assistance for facilities implementing quality assurance and performance improvement programs; and

E) Except as provided in subsection (c), development and maintenance of temporary management or receivership capability such as but not limited to, recruitment, training, retention or other system infrastructure expenses.

2) To cover allowable expenses, as defined by CMMS and included in the approved State Plan, incurred by the Department that are necessary to administer, monitor, or evaluate the effectiveness of projects utilizing CMP funds.

b) The Department may target CMP funds for projects or programs available through various organizations that are knowledgeable, skilled, and capable of meeting the project’s purpose in its area of expertise as long as the criteria in subsection (a) are met and the use is consistent with the requirements of 42 CFR 488.433.

c) CMP funds shall not be used for the following, including but not limited to:

1) Activities or projects that have been disapproved by CMMS;

2) Survey and certification operations or State expenses other than those listed in subsection (a)(2);

3) Capital expenses of a facility;

4) Facility services or supplies that are the responsibility of facilities, such as laundry, linens, food, heat, and staffing costs;

5) Funding projects, items or services that are not directly related to improving the quality of life and care of residents;

6) Projects for which a conflict of interest or the appearance of a conflict of interest exists;

7) Projects lasting longer than three years;

8) Temporary manager salaries, except as provide in subsection (c); and

9) Supplementary funding of federally required services (e.g., Quality Improvement Organization-Quality Improvement Network Initiatives).

d) A temporary manager's salary may not be paid with CMP funds and must be paid by the facility. If the facility is closing, CMMS plans to stop or suspend continued payments to the facility during the temporary manager's duty period, and CMMS determines that extraordinary action is necessary to protect the residents until relocation efforts are successful, CMP funds may be used to pay the manager's salary.