



SUPPLEMENT TO THE APPLICATION FOR CIVIL MONETARY PENALTY FUNDS

Project Name	Facility Name	Total Amount Requested

- 1. General Instructions and Requirements.** The requirement that an Applicant comply with Section 1 of this Supplement does not affect Applicant's obligation to adhere to any requirement of the "Application for Civil Monetary Penalty ("CMP") Funds" (the "**Application**"). A failure by an Applicant to comply with a requirement of this Section 1 may result in the denial of an Application as non-responsive.

Requirements. Upon CMS approval of an Application, HHSC will initiate contracting with the Applicant. To aid in the preparation of the resulting CMP Agreement, Memorandum of Understanding (MOU) or Interagency Contract (IAC), as applicable (collectively, the CMP Agreement), HHSC requires Applicants to respond to the following items:

Full Name of Legal Entity	
Contract Signature Authority Full Name	
Contract Signature Authority Title	
Contract Signature Authority Email Address	

- Submit a work plan with key dates and milestones in the format below. The work plan must include:
 - Identification of tasks to be performed;
 - Time frames to perform the identified tasks (# of days calculated from the Agreement effective date);

Facility Name	CMS Certification Number (CCN)	Total Dollar Amount of CMP Imposed	Status (Closed, Pending)

2. Other Application Guidelines and CMP Agreement Requirements

- 2.1 HHSC will not disburse CMP funds under a CMP Agreement for future expenditures.
- 2.2 HHSC will not consider joint or collaborative applications that require it to contract with more than one applicant.
- 2.3 If the project sponsor or any subcontractor is not a health care provider already required to comply with the Health Insurance Portability and Accountability Act ("HIPAA") and your project contemplates contact with nursing facility residents or their families, you will be required to enter into a Data Use Agreement ("DUA") as prescribed by the Texas Health and Human Services Commission. Prior to signing the DUA, the project sponsor must complete a Security and Privacy Initial Inquiry ("SPI"). In order to proceed to the entry of a CMP Agreement, the project sponsor must adhere to all requirements of the SPI.
- 2.4 If approved for a CMP award, applicants will be required to agree to the Health and Human Services Commission Vendor Uniform Terms and Conditions and HHSC Supplemental Conditions (collectively, "Conditions". If an Application submitted by a governmental entity is approved, the foregoing Conditions and the DUA will be revised accordingly.
- 2.5 If a CMP Application is approved, the Applicant must first enter into a CMP Agreement with HHSC before receiving CMP funds. HHSC will not disburse CMP funds for any expenses incurred by a CMS Applicant prior to the execution of a CMP Agreement between HHSC and the Applicant.
- 2.6 CMP funds may not be used for uses prohibited by law, regulation, or CMS policy. Examples include but are not limited to: Capital expenses or improvements to a facility. These include but are not limited to:
 - Expenses for replacing a boiler;
 - Redesign of a nursing home;
 - Landscaping; and
 - Parking lot or sidewalk construction

Disclaimer: This document shall not be considered legal advice from HHSC and applicants should consult their legal counsel as they deem appropriate.