

Choose a per instance civil money penalty when one or more of the following factors are present.

- Findings of current/ongoing noncompliance that are isolated findings (singular event) of actual harm at Scope and Severity (S/S) of "G" or "J"
- Findings of current/ongoing noncompliance at a S/S of "G" or above, or Substandard Quality of Care (SQC) findings at a S/S of "F" where a facility has an opportunity to correct
- Findings of current/ongoing noncompliance at a S/S of "G" or above, or SQC findings at "F" but where a facility has a good compliance history; OR
- Findings of past noncompliance when dates of noncompliance CANNOT be determined at a S/S of "G" or above or SQC findings at a S/S of "F"

Per Instance Civil Money Penalty Chart

S E	Likely to cause Serious Harm, Serious Injury, Impairment, or Death	J \$3500	K \$4500	L \$5500
V E	Actual Harm, but no Immediate Jeopardy	G \$1500	H \$2000	I \$2500
R I	No Actual Harm but Potential for more than Minimal Harm but no immediate Jeopardy	D No Remedies	E No Remedies	F \$1200
T Y	No Actual Harm but Potential for no more than Minimal Harm	A No Remedies	B No Remedies	C No Remedies
	Scope	Isolated	Pattern	Widespread

Circle base amount and number of all that apply, add detail (if necessary), e.g. dates of prior repeat citations, prior CMP amounts

1. A civil money penalty may be assessed for any Level 2 or higher deficiency, (see S.O.M. Section 7516) but should primarily be assessed for F-SQC or Harm deficiencies, and Level 2 deficiencies following removal of an IJ.
2. Facilities will not be given an opportunity to correct (daily CMP's will be imposed) when they have deficiencies of actual harm or above on a current survey and on the previous standard survey or any intervening survey; or they have two or more actual harm or SQC citations at the current survey.
3. The total civil money penalties assessed cannot exceed \$3,000 per day; or \$10,000 per instance.
4. Add money to the per day base penalty amount, based on the degree of culpability of the facility; i.e. if the noncompliance is intentional, or a product of neglect, indifference or disregard.
 - \$100.00 - \$250.00 - level F (SQC)
 - \$300.00 - \$1000.00 - level G - level I
 - \$1000.00 - \$2000.00 - level J - level L

Amount added _____
5. If a facility has a history and/or pattern of noncompliance at a S/S "G" or above for surveys conducted in the past 3 calendar years, add one amount between \$100.00 to \$500.00 based on the S/S pattern/trend of a facility's noncompliance history.

Amount added _____
6. If a SQC deficiency is cited add the amount for the highest S/S based on the chart below. SQC is defined for deficiencies cited at S/S F, H, I, J, K or L within the regulatory groupings.
 - \$50.00 - level F
 - \$100.00 - level H and I
 - \$500.00 - level J, K, and L

Amount added _____

Total amount of CMP _____

THIS CIVIL MONEY PENALTY (CMP) SCHEDULE CONFORMS TO 42 CFR 488.408. THIS SCHEDULE IS INTENDED TO COVER THE MAJORITY OF CASES WHERE THE STATE AGENCY RECOMMENDS CMP IMPOSITION. SITUATIONS MAY ARISE THAT JUSTIFY DEPARTURE FROM THESE GUIDELINES.

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