

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
JFK Federal Building, Room 2275
Government Center
Boston, Massachusetts 02203



Northeast Division of Survey & Certification

May 8, 2023
VIA E-Mail Only

Administrator
Mountain View Community
93 Water Village Road
Ossipee, NH 03864

RE: Enforcement Cycle Start Date: April 7, 2023 through April 10, 2023

Other Surveys & Revisits: May 4, 2023

Substantial Compliance Was Achieved: April 18, 2023

Enforcement Remedies:

Denial of Payment for New Admissions (DPNA): NOT IMPOSED

Termination: NOT IMPOSED

Civil Money Penalty (CMP):

Effective April 7, 2023, CMS imposed a Federal Civil Money Penalty of \$7,320.00 per day for the twenty-one (21) days beginning March 20, 2023 and continuing through April 9, 2023 for a total of **\$153,720.00**, and a Federal Civil Money Penalty of \$245.00 per day for the eight (8) days beginning April 10, 2023 and continuing through April 17, 2023 for a total of **\$1,960.00**, based on the non-compliance at Federal Tags: F0880 -- S/S: J -- 483.80(a)(1)(2)(4)(e)(f) -- Infection Prevention & Control. The total CMP imposed is **\$155,680.00**.

Deadline to Appeal or Waive Appeal Rights: June 20, 2023

Payment of the CMP is due: July 6, 2023 unless CMS receives a waiver of appeal rights - then the CMP reduction would be approved and the CMP would be due within fifteen (15) days of CMS approval of the CMP reduction; or, if the facility files an appeal, the full CMP would be due **15 days** after CMS receives notice that the enforcement action is being appealed and CMS requests payment to the CMS Escrow account.

CMP Case No. 2023-01-LTC-294
CCN: 305087

Dear Administrator:

On May 4, 2023, the New Hampshire State Survey Agency conducted a revisit/review to determine your facility's compliance with the deficiencies cited at the April 7, 2023 through April 10, 2023 survey. Based on the revisits/reviews, it was determined that substantial compliance was achieved effective April 18, 2023.

Denial of Payment for New Admissions and Termination, as mentioned above are not imposed.

Effective April 7, 2023, CMS imposed a Federal Civil Money Penalty of \$7,320.00 per day for the

twenty-one (21) days beginning March 20, 2023 and continuing through April 9, 2023 for a total of **\$153,720.00**, and a Federal Civil Money Penalty of \$245.00 per day for the eight (8) days beginning April 10, 2023 and continuing through April 17, 2023 for a total of **\$1,960.00**, based on the non-compliance at Federal Tags: F0880 -- S/S: J -- 483.80(a)(1)(2)(4)(e)(f) -- Infection Prevention & Control. The total CMP imposed is **\$155,680.00**.

PAYMENT OF CMP

Payments can be paid directly from a bank account through the CMP Pay.gov portal: <https://www.pay.gov/public/form/start/998675240>. We encourage the use of payment through pay.gov to avoid delay in processing your payment. It is an easy and convenient system that is available 7 days a week - 24 hours a day. You will be asked to provide your CMS Certification Number (CCN) **305087** and the CMP case number **2023-01-LTC-294**.

Please note that in accordance with the regulations at 42 CFR Section 488.442, CMS will assess interest on any unpaid balance of the penalty beginning on the due date. The rate of interest is 11.50%.

If you have any questions, please feel free to contact me via e-mail at Catherine.Perez@cms.hhs.gov.

Sincerely,

Catherine Perez PT, DPT
Health Insurance Specialist,
Northeast Survey & Enforcement Division
Survey & Operations Group
CMS Center for Clinical Standards and Quality

cc:
State Survey Agency
State Medicaid Agency
MAC - NGS