



COMMONWEALTH of VIRGINIA

Department of Medical Assistance Services

Cheryl Roberts
DIRECTOR

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December 8, 2022

James Johnson
Molina Complete Care of Virginia
3829 Gaskins Road
Henrico, VA 23233

Re: CCC Plus Program – Corrective Action Plan (CAP) – Failure to Respond Timely – Case ID #20608

Dear Mr. Johnson,

The Department of Medical Assistance Services (DMAS) continually monitors the CCC Plus contractual compliance of Molina Complete Care of Virginia (Molina). A crucial component of this is obtaining information from Molina with the understanding it is delivered complete, accurate, and timely. The CCCPlus contract states in 17.4, “CONTRACTOR REQUIREMENTS TO RESPOND, The Contractor shall receive and respond to all inquiries and requests made by the Department in time frames and formats specified by the Department. The Contractor shall acknowledge and provide a status update on written, electronic, or telephonic requests for information or assistance from the Department involving enrollees or providers within the time frames specified by the Department. The Contractor’s acknowledgement must include a planned date of resolution. Requests identified by the Department as urgent requests for assistance or information (e.g. issues involving legislators, FOIA, good cause, etc.) must be given priority and completed in accordance with the request of and instructions from the Department.”

On May 24, 2022 Molina was issued a Notice of Noncompliance (NoNC), Case ID # 20428, due to multiple deadlines missed and delayed responses to inquiries sent to Molina from the DMAS Contract Monitoring Unit and the DMAS Compliance Unit. The requests for information included claims issues, the Member Advisory Committee (MAC) meeting invitation response, Freedom of Information (FOIA) requests, and the project plan for the corrective action plan (CAP) for case ID #20228.

On July 21, 2022, Molina was issued a Managed Care Improvement Plan (MIP), Case ID # 20507, due to additional occurrences of delayed responses and missed deadlines. These instances included requests for information regarding claims issues, member appeal rights, and general reporting.

Case ID 20608

Since July 21, 2022, the issues detailed in the MIP have persisted. The most recent involved a medical record request from a member. On August 24, 2022, the mother of a CCC Plus member contacted both Molina Member Services and the Molina Care Coordinator to obtain a copy of case records utilized in a decision to reduce personal care hours. Unfortunately, upon calling Molina, neither the customer service representative nor the Care Coordinator knew the process and the member was unable to obtain the requested records.

Molina was contacted by DMAS on September 12, 2022, to obtain a copy of the records. Throughout the efforts to resolve this issue Molina 1) failed to respond to DMAS inquiries, 2) failed to meet deadlines for submission of documents to DMAS, and 3) sent incorrect records to the member. Most concerning is the ongoing issues surrounding untimely communication have now resulted in direct impact to a member.

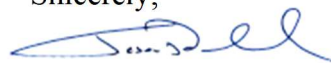
Molina shall submit a Corrective Action Plan (CAP) to address the continuous failure to meet established deadlines for communication and record requests from DMAS. Molina shall provide a timeline for implementing the project plan to DMAS by close of business January 9, 2023. The CAP will need to identify the root cause(s) for the ongoing lack of compliance and develop a practicable project plan to ensure contractual compliance is monitored and maintained. The project plan must address 1) internal controls related to communication with DMAS, and additionally, given the seriousness of the issues related to the information requests by DMAS, 2) accuracy of the Adverse Benefit Determination letter in describing how members obtain medical records, 3) training for Call Center and Care Coordination staff on how members obtain medical records, 4) the quality monitoring strategies that Molina will implement to ensure these requirements are met. The comment period for this compliance action ends close of business December 23, 2022. The CAP response and Molina will need to provide a written update to DMAS via email by close of business every Friday. Failure to comply with the approved CAP will result in additional sanctions.

Molina will be issued 10 point pursuant to CCC Plus Contract Section 18.1.2 item 2) Failure to submit a report or deliverable in the timeframe established by the Department or in accordance with the CCC Plus Technical Manual, Network Submission Requirements Manual (NSRM), or Encounter Technical Manual.

Assessment of these points are pending. If you have additional information and/or documentation that will affect this determination, please provide this information to Jason A. Rachel, Ph.D., Division Director, within 15 calendar days from the date of this letter ("Comment Period"). Point violations will be finalized upon the expiration of the Comment Period. After this time, no additional communication will be provided by DMAS regarding the point issuance.

If you have any questions regarding these concerns, contract standards or CAP requirements, please contact cccpluscompliance@dmas.virginia.gov. Please sign, date and return acknowledging receipt to CCCPlusCompliance@dmas.virginia.gov by December 16, 2022.

Sincerely,



Jason A. Rachel, Ph.D
Division Director
Division of Integrated Care

Acknowledge agreement via signature below to address the issues related to the failure to respond timely to DMAS requests-Case ID #20608.

James P. Johnson 12/16/2022

James Johnson/Date