



Advance Payments of the Premium Tax Credit (APTC) Program Assessment Report

for

Moda Health Plan, Inc. (Oregon)

November 18, 2020

Table of Contents

I. EXECUTIVE SUMMARY	3
II. BACKGROUND, OBJECTIVES, SCOPE, AND METHODOLOGY	5
III. RESULTS OF REVIEW	8
IV. FINDINGS AND OBSERVATIONS.....	10
V. MANAGEMENT RESPONSES	21
Appendix 1 – Issuer Management Response to Net Financial Adjustment	22
Appendix 2 – Applicable Regulations	23
Appendix 3 – Glossary of Terms and Acronyms	26

I. EXECUTIVE SUMMARY

Background

Moda Health Plan, Inc. (Moda) is a health insurance issuer that offered qualified health plans (QHPs) in the individual market State-Based Exchange (SBE) in Oregon during the 2014 benefit year. Moda submitted its final restated 2014 benefit year data in the July 2015 Enrollment and Payment Data Workbook (EPDW). The issuer received a total of \$90,292,255.67 in advance payments of the premium tax credit (APTC) from CMS and reported a total of \$169,653,688.00 in premiums for its 2014 benefit year individual market plans.

This report is an assessment, conducted in coordination with the SBE, of Moda's compliance with the APTC program established in sections 1401 and 1412 of the Patient Protection and Affordable Care Act (Pub. L. 111–148) enacted on March 23, 2010 and further amended and revised by the Health Care and Education Reconciliation Act of 2010 (Pub. L. 111–152) enacted on March 30, 2010 (collectively referred to throughout as PPACA), and implementing regulations. This report also details the results of the assessment of premiums for information purposes only as CMS did not charge user fees to issuers offering QHPs through SBEs during the 2014 benefit year.

Audits to Determine Compliance with the Administration of APTC Program

Under title 45 of the Code of Federal Regulations (CFR) sections §§ [155.1210](#) and [156.480](#), the Department of Health and Human Services (HHS) may audit¹ issuers that offer a QHP in the individual market through an Exchange to assess the degree of compliance with the APTC program requirements. HHS designates the Centers for Medicare & Medicaid Services (CMS) to conduct these audits and to achieve the following objectives:

- Safeguard Federal funds;
- Instill confidence amongst regulated entities of data quality, soundness, and robustness;
- Evaluate health insurance issuer compliance with program rules and regulations; and
- Develop a successful and coordinated risk-based, multi-year audit program that maximizes resources.

This audit is part of CMS's program to validate the enrollment and payment data reported in the final 2014 EPDW submitted by the issuer, and to analyze controls and policies of selected issuers pursuant to the authority defined in 45 CFR §§ 155.1210 and 156.480.

¹ To provide the flexibility needed when standing up a new oversight program and to ensure that issuers are able to provide CMS with their most accurate data, audit protocols allow for dialog between auditor and issuer to identify and correct errors in data submission that differ somewhat from some independence and reporting standards laid out under Generally Accepted Government Auditing Standards (GAGAS). These procedures were defined and executed consistent with the competence, integrity, and analytical discipline required for performance audits as defined by GAGAS.

The findings and observations are documented below. If CMS found an instance of issuer non-compliance with APTC program requirements that requires correction to the APTC reported in the final EPDW, then CMS classified it as a *finding*. If CMS found a deviation from CMS or Exchange requirements that we are calling to the attention of management for purposes of improving compliance in future program years, but that does not require correction to payment, then CMS categorized it as an *observation*.

Results of Review

CMS identified five (5) findings and six (6) observations for Moda. The net APTC financial impact of the five (5) findings is an overstatement of \$649,510.45 in APTC in the final EPDW and therefore a payment to CMS of \$649,510.45, consisting of APTC owed to CMS. The net premium impact of the six (6) observations is an overstatement of \$1,317,303.19 in premiums in the final EPDW. The findings and observations include the following:

Findings:

1. Differences in APTC amounts identified in the comparison of the issuer's data included in the July 2015 EPDW submitted by Moda to a Payment Desk Audit File containing subscriber level data from Moda's systems;
2. Inclusion of enrollment and APTC payment data in the Payment Desk Audit File for two (2) subscribers with coverage that was not effectuated in the issuer's systems;
3. Inclusion of full month enrollment and APTC payment data for three (3) duplicate subscribers in the Payment Desk Audit File;
4. Inclusion of premium amounts that were less than the APTC amounts and therefore incorrect APTC amounts for three (3) subscribers in the Payment Desk Audit File; and
5. Inclusion of premium amounts that were less than APTC amounts resulting from prorated premiums with full month APTC amounts for forty-one (41) subscribers in the Payment Desk Audit File.

Observations:

1. Differences in premium amounts identified in the comparison of the issuer's data included in the July 2015 EPDW submitted by Moda to a Payment Desk Audit File containing subscriber level data from Moda's systems;
2. Inclusion of enrollment and premium data in the Payment Desk Audit File for two (2) subscribers with coverage that was not effectuated in the issuer's systems;
3. Inclusion of full month enrollment and premium data for five (5) duplicate subscribers in the Payment Desk Audit File;
4. Inclusion of premium amounts that were less than the APTC amounts and therefore incorrect premium amounts for seven (7) subscribers in the Payment Desk Audit File;
5. Inclusion of enrollment and premium data for one (1) subscriber with a coverage period of five (5) days or fewer in error in the Payment Desk Audit File; and
6. Inclusion of incorrect premium amounts for five (5) of the forty-five (45) selected subscribers, which included three (3) of the fifteen (15) selected subscribers, in the Payment Desk Audit File.

Please refer to section IV for details on the findings and observations listed above, including the condition, cause, effect, corrective actions, and the issuer's responses.

II. BACKGROUND, OBJECTIVES, SCOPE, AND METHODOLOGY

A. Background

Sections 1401 and 1412 of the PPACA established the APTC program to support the provision of affordable health care coverage to individuals.

CMS has the responsibility to confirm successful implementation of, and adherence to, the PPACA provisions and implementing regulations governing the APTC program. As such, CMS established this audit program.

Interim Payment Process

In 2014, CMS implemented a temporary process (“interim payment process”) to calculate and make monthly payments of APTC and advance cost-sharing reduction (CSR) amounts. CMS used this interim payment process to calculate payments for all SBE issuers for the 2014-2017 benefit years. CMS transitioned most SBE issuers to policy-based payments (PBP) in 2018, and transitioned the last SBE to PBP in 2020.

For the 2014 benefit year, the interim payment process required SBE issuer submitters, including issuers in Oregon, to self-report enrollment and payment data on a monthly basis, including any adjustments to previous months’ requests, via manual submission of an EPDW, and to attest to the accuracy of the data. SBE issuer submitters were required to calculate the QHP enrollment and payment amounts and to submit that information in the EPDW using their internal source data.

CMS calculated and made monthly payments based on the QHP data submitted in the EPDW. While using this interim process, CMS designed and implemented a robust set of internal controls within a larger program integrity framework to ensure payment accuracy. CMS required submitters to send the following QHP plan information at the variant level via the password-protected template:

1. State
2. Tax Identification Number (TIN)
3. Health Insurance Oversight System (HIOS) ID
4. QHP ID
5. Total premium amount for all enrollments
6. Total APTC amount
7. Total advance CSR amount
8. Total effectuated enrollment groups
9. Total effectuated enrollment groups with APTC
10. Total effectuated enrollment groups with advance CSR
11. Total effectuated members
12. Total effectuated members with APTC
13. Total effectuated members with advance CSR

CMS conducted a SBE payment close-out process for the 2014 benefit year in which CMS compared the EPDW data against the policy-level reporting (PLR) data submitted by the SBE. The PLR data was based on the monthly submissions that SBEs sent to the Internal Revenue Service (IRS) for reporting purposes and contained cumulative individual market enrollment APTC data. CMS requested that SBEs append an additional field for the QHP ID for each policy and separately submit the data to CMS for this purpose. CMS asked SBE or SBE issuers to explain any outlier discrepancies between EPDW and PLR data and to re-submit the EPDW, if necessary, or to verify that payment data was accurate despite discrepancies with PLR data.

B. Regulations Governing APTC Program

CMS established an audit protocol to assess health insurance issuers' compliance with the following regulations governing APTC program:

- [45 CFR § 155.1210](#): Maintenance of Records;
- [45 CFR § 156.460](#): Reduction of enrollee's share of premium to account for advance payments of the premium tax credit; and
- [45 CFR § 156.480](#): Oversight of the administration of the cost-sharing reductions and advance payments of the premium tax credit programs.

Please refer to Appendix 2 for the specific requirements established under the authorities listed above.

C. Objectives

The objectives of this audit are to:

- (1) Evaluate the accuracy and integrity of issuer-generated EPDW data reported for premiums and the APTC program;
- (2) Identify potential CMS APTC payment errors resulting from issuer data reporting errors;
- (3) Test accuracy and integrity of issuer processes for reducing an enrollee's share of premium to account for APTCs.

D. Scope and Methodology

CMS selected Moda for an audit to assess the issuer's compliance with 45 CFR §§ 155.1210, 156.460 and 156.480. CMS evaluated Moda's activities related to the 2014 benefit year (January 1, 2014 through December 31, 2014) individual market data reported in the final EPDW submitted in July 2015 by the issuer to CMS to support APTC payments and premium amounts.

CMS sent Moda an electronic letter on May 25, 2018 to notify them of the scope of this audit. CMS's audit contractor sent a follow-up letter to Moda on May 29, 2018 that identified data requirements required to conduct the audit. CMS's audit contractor reviewed the audit data file submitted by Moda, as well as the final 2014 EPDW submitted by the issuer to CMS and the PLR data submitted by the SBE to CMS, and used CMS's audit procedures to assess compliance with APTC program rules and regulations².

CMS's audit contractor applied CMS's audit protocol to identify the findings and observations listed in section IV of this report. CMS's audit contractor performed the following procedures:

- Validations of the Payment Desk Audit File² data submitted to CMS:
 - EPDW Validations: Review and comparison of the issuer's final submitted 2014 EPDW to the Payment Desk Audit File from the issuer's systems.
 - Unreconciled Subscribers Review: Review and comparison of the subscribers reported in the Payment Desk Audit File to the subscribers included in the SBE's PLR data to determine if the subscribers existed and their coverage was effectuated in the issuer's system (i.e., the amount the subscriber is responsible to pay toward the first month's total premium amount has been paid in full by the subscriber).
 - Duplicate Exchange-assigned Subscriber IDs Check: Review of the Payment Desk Audit File containing subscriber level data from the issuer's systems to verify that duplicate Exchange-assigned subscriber IDs (i.e., Exchange-assigned subscriber IDs that were reported in the file twice in the same month with full month or incorrectly prorated payment data) were not reported in the file.
 - Premium Less than APTC Validation: Review of the Payment Desk Audit File to verify that the subscribers' premium amounts reported in the file were not less than the APTC amounts reported in the file.
 - Coverage Days Validation: Review of the Payment Desk Audit File to verify that enrollments of five (5) days or fewer reported in the file were effectuated and had active coverage in the issuer's systems.
- Validations on samples of issuer's systems data:
 - Forty-five (45) Subscribers Sample Review: Review and comparison of the coverage periods, premium and APTC amounts from the issuer's systems to the corresponding data included in the SBE's PLR data for a selected sample of forty-five (45) subscribers.
 - Fifteen (15) Subscribers Sample Review: Analysis and review of data and documentation from the issuer's systems to verify effectuation and the appropriate application of premium and APTC amounts to policies for a selected sample of fifteen (15) subscribers.
- Policy and Procedure Review: Review of issuer APTC policies and procedures for completeness and clarity.

² The Payment Desk Audit File is CMS's standard document for issuers to provide information in support of this audit.

III. RESULTS OF REVIEW

CMS assessed issuer compliance with regulations using the following procedures: EPDW Validations, Unreconciled Subscribers Review, Duplicate Exchange-assigned Subscriber IDs Check, Premium Less than APTC Validation, Coverage Days Validation, Forty-five (45) Subscribers Sample Review, Fifteen (15) Subscribers Sample Review, and Policy and Procedure Review.

To build collaborative relationships and identify process improvements that support program integrity goals, CMS conducted a discrepancy phase following the review of the initial audit data submission to work with the issuer to resolve or reduce audit findings, thereby improving compliance. Additional follow-up with the SBE was performed as necessary to confirm or resolve the identified audit findings. Below are the results of this review following the discrepancy phase.

EPDW Validation

One (1) finding and one (1) observation resulted from the comparison of the final 2014 EPDW submitted by the issuer to Moda's Payment Desk Audit File. Please refer to Finding No. 1 and Observation No. 1 included in section IV for details on the finding and observation.

Unreconciled Subscribers Review

One (1) finding and one (1) observation resulted from the review of Moda's Payment Desk Audit File to determine if the subscribers reported in the file existed and their coverage was effectuated in the issuer's systems. Please refer to Finding No. 2 and Observation No. 2 included in section IV for details on the finding and observation.

Duplicate Exchange-assigned Subscriber IDs Check

One (1) finding and one (1) observation resulted from the review of Moda's Payment Desk Audit File to verify that duplicate Exchange-assigned subscriber IDs were not reported in the file. Please refer to Finding No. 3 and Observation No. 3 included in section IV for details on the finding and observation.

Premium Less than APTC Validation

Two (2) findings and one (1) observation resulted from the review of Moda's Payment Desk Audit File to verify that subscribers were not reported in the file with premium amounts that were less than the APTC amounts. Refer to Finding No. 4 and No. 5 and Observation No. 4 included in section IV for details on the findings and observation.

Coverage Days Validation

No findings and one (1) observation resulted from the review of Moda's Payment Desk Audit File to verify that enrollments of five (5) days or fewer reported in the file were effectuated and had active coverage in the issuer's systems. Please refer to Observation No. 5 included in section IV for details on the observation.

Forty-five (45) Subscribers Sample Review

No findings and one (1) observation resulted from the review and comparison of the data from Moda's systems to the corresponding data included in the SBE's PLR data to determine accuracy of the reported enrollment months and the application of premium and APTC for a selected sample of forty-five (45) subscribers. The observation was also identified as a result of the Fifteen (15) Subscribers Sample Review. Please refer to Observation No. 6 included in section IV for details on the observation.

Fifteen (15) Subscribers Sample Review

No findings and one (1) observation resulted from the review of the data and documentation from Moda's systems to verify effectuation and the appropriate application of premium and APTC amounts to policies for a selected sample of fifteen (15) subscribers. The observation was also identified as a result of the Forty-five (45) Subscribers Sample Review. Please refer to Observation No. 6 included in section IV for details on the observation.

Policy and Procedure Review

No findings or observations resulted from the review of Moda's APTC policies and procedures.

IV. FINDINGS AND OBSERVATIONS

A finding is an identification of an instance of issuer non-compliance with APTC program requirements that requires correction to payment. CMS's audit procedures identified five (5) findings, which resulted in a change to the APTC amounts reported in Moda's EPDW for individual market plans for the 2014 benefit year.

An observation is a deviation from CMS or Exchange requirements that we are calling to the attention of management for purposes of improving compliance in future program years but that does not require correction to payment. CMS's audit procedures identified six (6) observations that resulted in a change to the premium amounts reported in Moda's EPDW for individual market plans for the 2014 benefit year.

In light of the five (5) findings and six (6) observations, the adjusted 2014 benefit year EPDW APTC and premium amounts for individual market plans are shown in the following table.

Recalculated EPDW for the 2014 Benefit Year

	APTC	Premium (Observations)
EPDW as Filed in July 2015	\$90,292,255.67	\$169,653,688.00
Finding No. 1 and Observation No. 1 - EPDW Validations Adjustment	\$(623,361.58)	\$(1,310,794.49)
Finding No. 2 and Observation No. 2 – Unreconciled Subscribers Review Adjustment	\$(419.00)	\$(31.68)
Finding No. 3 and Observation No. 3 – Duplicate Exchange- assigned Subscriber IDs Check Adjustment	\$(8,029.00)	\$(9,643.61)
Finding No. 4 and Observation No. 4 – Premium Less Than APTC Validation Adjustment	\$(12,113.00)	\$3,415.20
Finding No. 5 – Premium Less Than APTC	\$(5,587.87)	\$0.00

	APTC	Premium (Observations)
Validation (Incorrect Proration) Adjustment		
Observation No. 5 – Coverage Days Validation Adjustment	\$0.00	\$(25.61)
Observation No. 6 – Forty-five (45) Subscribers Sample Review and Fifteen (15) Subscribers Sample Review Adjustment	\$0.00	\$(223.00)
EPDW As Recalculated	\$89,642,745.22	\$168,336,384.81
Total Impact	\$(649,510.45)	\$(1,317,303.19)*

Note: Positive APTC values indicate funds owed to the issuer.

The net financial impact of the five (5) findings is a payment of \$649,510.45, consisting of APTC owed to CMS.

*Note: The premium impact of the six (6) observations is an overstatement of \$1,317,303.19 in premiums. The premium impact is noted for purposes of improving compliance in future program years.

For the five (5) findings and six (6) observations, CMS documented the criteria, cause, effect, corrective actions, and Moda's responses as seen in the charts below.

Finding No. 1 and Observation No. 1 – EPDW Validations	
Condition:	<p>APTC Differences (Finding) – For one (1) or more months of 2014 benefit year enrollment in forty-two (42) QHPs, the net "Total APTC Amount by QHP ID for effectuated enrollments" included in Moda's EPDW was greater than the total APTC amount included in Moda's Payment Desk Audit File, resulting in an overpayment of \$623,361.58 in APTC. For the one (1) or more months of 2014 benefit year enrollment in forty-two (42) QHPs, the total net enrollment in the EPDW was overstated by three thousand, five hundred and sixty-six (3,566) APTC enrollment groups and four thousand, three hundred and sixty-five (4,365) APTC members.</p> <p>Premium Differences (Observation) – For one (1) or more months of 2014 benefit year enrollment in forty-seven (47) QHPs, the net "Total Premium Amount by QHP ID for effectuated enrollments" included in</p>

Finding No. 1 and Observation No. 1 – EPDW Validations	
	<p>Moda’s EPDW was greater than the total premium amount included in Moda’s Payment Desk Audit File, resulting in an overstatement of \$1,310,794.49 in premiums. For the one (1) or more months of 2014 benefit year enrollment in forty-seven (47) QHPs, the total net enrollment in the EPDW was overstated by five thousand, eight hundred and seventy-eight (5,878) enrollment groups and seven thousand, one hundred and eight (7,108) members.</p>
Criteria:	<p>Pursuant to CMS guidance and EPDW submission requirements:</p> <p>The “Total APTC amount by QHP ID for effectuated enrollments” submitted on the EPDW is the "total APTC toward the total premium amount for effectuated enrollments within a 16-digit QHP ID."</p> <p>The “Total premium amount by QHP ID for effectuated enrollments” submitted on the EPDW is the "total premium amount for the health coverage for all effectuated enrollments within that plan.”</p>
Cause:	<p>The issuer indicated that the discrepancy is due to enrollment and APTC values that continued to change retroactively after the last EPDW submission.</p> <p>The issuer further indicated that the “types of changes that occurred after the last EPDW submission included the following types of changes:</p> <ul style="list-style-type: none"> • Plan changes • APTC changes • Additions and/or terminations of enrollees and/or dependents • Reinstatements of coverage • HICS cases resulting in a change in enrollment.”
Effect:	<p>The APTC and premium differences resulted in a change to Moda’s final, restated 2014 benefit year EPDW data.</p>
Corrective Action Required:	<p>The net financial impact of this finding is a payment of \$623,361.58, consisting of APTC owed to CMS. Moda should confirm the financial impact and coordinate on resolution with CMS.</p> <p>The premium impact of this observation is an overstatement of \$1,310,794.49 in premiums. CMS notes this observation for purposes of improving compliance in future program years.</p>
Management Response:	<p>Agree.</p>

Finding No. 2 and Observation No. 2 – Unreconciled Subscribers Review	
Condition:	Moda overstated the 2014 benefit year premium and APTC amounts for two (2) subscribers in the Payment Desk Audit File by reporting enrollment and payment data for subscribers with coverage that was not effectuated.
Criteria:	Pursuant to CMS guidance and EPDW submission requirements, the EPDW should include data for effectuated enrollments where an effectuated enrollment is described as “any enrollment in which the amount the enrollment group is responsible to pay toward the total premium amount has been paid in full by the enrollment group.”
Cause:	<p>The issuer indicated for the two (2) subscribers that the member was cancelled for non-payment, and no 2014 coverage was provided. The issuer noted the enrollments should not have been included in the Payment Desk Audit File.</p> <p>The two (2) subscribers also had premium amounts that were less than the APTC amounts but were identified and confirmed issues as a result of the Unreconciled Subscribers Review as the enrollments had no 2014 benefit year coverage.</p>
Effect:	The inclusion of two (2) non-effectuated enrollments resulted in a change to Moda’s final, restated 2014 benefit year EPDW data.
Corrective Action Required:	<p>The net financial impact of this finding is a payment of \$419.00, consisting of APTC owed to CMS. Moda should confirm the financial impact and coordinate on resolution with CMS.</p> <p>The premium impact of this observation is an overstatement of \$31.68 in premiums. CMS notes this observation for purposes of improving compliance in future program years.</p>
Management Response:	Agree.

Finding No. 3 and Observation No. 3 - Duplicate Exchange-assigned Subscriber IDs Check	
Condition:	Moda overstated the 2014 benefit year premium amounts for five (5) subscribers, and overstated the 2014 benefit year APTC amounts for three (3) of those subscribers, in the Payment Desk Audit File by reporting enrollment and full month payment data for the subscribers more than once in the same month.

Finding No. 3 and Observation No. 3 - Duplicate Exchange-assigned Subscriber IDs Check	
Criteria:	Issuers cannot request full month payment from CMS for the same subscriber twice within a month.
Cause:	<p>The issuer indicated the following for the five (5) duplicate subscribers:</p> <ul style="list-style-type: none"> • “Coverage was terminated as never effective on 5/1/14. The Member is showing correct coverage on [issuer provided ID].” • “Duplicate coverage from 8/1/14-12/31/14 is listed on the desk audit file due to a manual processing error. [Issuer provided ID] policy has been corrected and coverage has been terminated as never effective for 8/1/2014-12/31/2014. Active coverage on Sub ID [issuer provided ID].” • “Duplicate coverage from 8/1/14-12/31/14 was listed on the desk audit file due to a manual processing error. [Issuer provided ID] policy has been terminated as never effective on 8/1/14 to correct in issuer system.” • “Manual user error. Member enrolled on 2 sponsored groups. Coverage has been terminated as never effective on 1/1/2014 for correct group to correct issue. Only one policy is active now from 1/1/2014-12/31/2014.” • “Duplicate coverage from 1/1/14-5/31/14 is listed on the desk audit file due to a manual processing error. [Issuer provided ID] has been corrected by terminating as never effective on 1/1/14 in the issuer’s system.”
Effect:	The inclusion of five (5) duplicate subscribers resulted in a change to Moda’s final, restated 2014 benefit year EPDW data.
Corrective Action Required:	<p>The net financial impact of this finding is a payment of \$8,029.00, consisting of APTC owed to CMS. Moda should confirm the financial impact and coordinate on resolution with CMS.</p> <p>The premium impact of this observation is an overstatement of \$9,643.61 in premiums. CMS notes this observation for purposes of improving compliance in future program years.</p>
Management Response:	Agree.

Finding No. 4 and Observation No. 4 - Premium Less than APTC Validation

Condition:	Moda reported 2014 benefit year premium amounts that were less than the APTC amounts for eight (8) subscribers in the Payment Desk Audit File due to manual errors, resulting from Moda understating the 2014 benefit year premium amounts for seven (7) of the eight (8) subscribers, and overstating the 2014 benefit year APTC amounts for two (2) of those subscribers, in the Payment Desk Audit File. Additionally, Moda overstated the 2014 benefit year APTC amounts for one (1) subscriber in the Payment Desk Audit File.
Criteria:	Issuers cannot report an APTC amount that exceeds the premium amount for a policy.
Cause:	<p>The issuer indicated the following explanations for the seven (7) subscribers with understated premium amounts and, if applicable, overstated APTC amounts:</p> <ul style="list-style-type: none">• “Per file received from the SBE on 2/6/14 the APTC amount for April 2014 is \$605.00 and premium amount is \$1002.00. APTC is correct in issuer system. There was a manual user error due to incorrect member eligibility update; corrected by issuer and now matches file.”• “Manual processing error, eligibility updated prematurely creating negative bill for February and March. The APTC amount of \$623 is correct per SBE file received. The issuer correction updated eligibility to correct premium for negatively billed months.”• “Manual processing error, eligibility was updated to remove spouse 12/11-12/31 causing a negative bill. Issuer correction added spouse back onto plan through 12/31/2014.”• “Manual processing error removed dependent effective 8/31/2014 in error. Issuer correction added dependent through 12/31/2014.”• “Manual processing error, spouse was separated from this policy effective 6/30/2014 and enrolled on their own policy effective 7/1/2014 per file received. Policy on [issuer provided policy] was not terminated until 7/31/2014 creating a negative premium.”• “Manual processing error, eligibility was updated to change spouse effective 1/1/2014 from 2/1/2014. Issuer correction: updated spouse effective date at member level to show correct premium for 1/1/14-1/31/14.”• “Manual processing error, coverage terminated 6/3/2014 instead of 6/30/2014. Issuer correction: updated termination

Finding No. 4 and Observation No. 4 - Premium Less than APTC Validation	
	<p>date to 6/30/2014; coverage was terminated for nonpayment and June was the first month of the grace period.”</p> <p>The issuer indicated the following explanation for the one (1) subscriber with the correct premium amounts but overstated APTC amounts:</p> <ul style="list-style-type: none"> • “Manual input error. Issuer correction: subsidy was corrected to \$405 per SBE file dated 8/22/14.”
Effect:	The inclusion of the incorrect premium and APTC amounts for the eight (8) subscribers resulted in a change to Moda’s final, restated 2014 benefit year EPDW data.
Corrective Action Required:	<p>The net financial impact of this finding is a payment of \$12,113.00, consisting of APTC owed to CMS. Moda should confirm the financial impact and coordinate on resolution with CMS.</p> <p>The premium impact of this observation is an understatement of \$3,415.20 in premiums. CMS notes this observation for purposes of improving compliance in future program years.</p>
Management Response:	Agree.

Finding No. 5 - Premium Less than APTC Validation (Incorrect Proration)	
Condition:	<p>Moda reported premium amounts that were less than the APTC amounts for twenty-one (21) subscribers in the Payment Desk Audit File resulting from correctly prorating the 2014 benefit year premium amounts but reporting full month APTC amounts. As a result, Moda overstated the 2014 benefit year APTC amounts for twenty-one (21) subscribers in the Payment Desk Audit File.</p> <p>Upon further review of Moda's Payment Desk Audit File, it was noted that there were twenty (20) additional subscribers with correctly prorated premium amounts but full month APTC amounts for partial months of enrollment.</p>
Criteria:	Issuers cannot report an APTC amount that exceeds the premium amount for a policy.

Finding No. 5 - Premium Less than APTC Validation (Incorrect Proration)

Cause:	<p>The issuer indicated the following explanations for the twenty-one (21) subscribers with correctly prorated premium amounts but full month APTC amounts:</p> <ul style="list-style-type: none">• “The member premium was prorated. APTC was not prorated in error. Prorated APTC should have been [issuer provided prorated APTC amount].” (Twenty (20) subscribers)• “Manual processing error. A termination was entered for 8/18/2014 when it should have been entered for 2015. The member was refunded excess premiums paid.” (One (1) subscriber) <p>As a result, the 2014 benefit year APTC amounts were overstated by \$4,857.46 for the twenty-one (21) subscribers reported in the Payment Desk Audit File.</p> <p>Upon further review of the Payment Desk Audit File, it was noted that the incorrect proration of APTC amounts impacted additional enrollments reported in the Payment Desk Audit File. CMS noted and the issuer confirmed that twenty (20) additional subscribers had correctly prorated premium amounts but full month APTC amounts, resulting in an overstatement of \$730.41 in APTC amounts for the twenty (20) subscribers.</p> <p>CMS concluded that the 2014 benefit year APTC amounts were overstated by \$5,587.87 for the forty-one (41) subscribers reported in the Payment Desk Audit File.</p>
Effect:	<p>The inclusion of the incorrect APTC amounts for the forty-one (41) subscribers resulted in a change to Moda’s final, restated 2014 benefit year EPDW data.</p>
Corrective Action Required:	<p>The net financial impact of this finding is a payment of \$5,587.87, consisting of APTC owed to CMS. Moda should confirm the financial impact and coordinate on resolution with CMS.</p>
Management Response:	<p>Agree.</p>

Observation No. 5 - Coverage Days Validation	
Condition:	Moda overstated the 2014 benefit year premium amounts for one (1) subscriber in the Payment Desk Audit File by incorrectly reporting an enrollment that was not effectuated.
Criteria:	Pursuant to CMS guidance, the issuer must create a single Inbound Payment Desk Audit File consisting of detailed enrollment group effectuated enrollment records (one per enrollment group, per month) with the corresponding payment data.
Cause:	<p>The issuer's Payment Desk Audit File included enrollment from 1/1/2014 through 1/2/2014 and enrollment from 3/1/2014 through 12/31/2014 for the one (1) subscriber. The issuer indicated "Manual processing error, member had multiple conflicting termination lines entered in error." The issuer indicated the enrollment from 1/1/2014 through 1/2/2014 was never effective, but the subscriber had coverage from 3/1/2014-12/31/2014.</p> <p>The enrollment record reported in the Payment Desk Audit File with a benefit begin date of 1/1/2014 and benefit end date of 1/2/2014 included a premium amount of \$25.61 and APTC amount of \$0.00 and therefore CMS noted the premium amounts were overstated.</p>
Effect:	The inclusion of the enrollment and payment data for the one (1) subscriber resulted in a change to Moda's final, restated 2014 benefit year EPDW data.
Corrective Action Required:	The premium impact of this observation is an overstatement of \$25.61 in premiums. CMS notes this observation for purposes of improving compliance in future program years.
Management Response:	Agree.

Observation No. 6 - Forty-five (45) Subscribers Sample and Fifteen (15) Subscribers Sample Review	
Condition:	Moda overstated the 2014 benefit year premium amounts for four (4) of the forty-five (45) selected subscribers, which included two (2) of the fifteen (15) selected subscribers, in the Payment Desk Audit File. Additionally, Moda understated the 2014 benefit year premium amounts for one (1) of the forty-five (45) selected subscribers, which

Observation No. 6 - Forty-five (45) Subscribers Sample and Fifteen (15) Subscribers Sample Review	
	was also one (1) of the fifteen (15) selected subscribers, in the Payment Desk Audit File.
Criteria:	Pursuant to CMS guidance, the premium amount reported in the EPDW and Payment Desk Audit File is the total monthly premium amount for the effectuated enrollment within a qualified health plan.
Cause:	<p>The issuer indicated the following for the five (5) subscribers:</p> <ul style="list-style-type: none"> • For the subscriber with a premium amount of \$211.00 reported in the Payment Desk Audit File for September through December, the issuer indicated “The total premium was manually adjusted to \$208 in issuers system for months 09-12 to match SBE. Total premium amount was \$208.00 for months 05-12.” The SBE further noted “Premium is \$208 per legacy system.” Therefore, CMS concluded the Payment Desk Audit File was overstated by \$12.00 in premiums. • For the subscriber with a premium amount of \$809.00 reported in the Payment Desk Audit File for May through December, the issuer indicated “For the months 05-12 the total premium amount is \$794, consisting of \$435.00 in APTC and \$359 member responsibility. This is reflected correctly in issuers system.” The SBE further noted “The state noted "SBE legacy system and final full enrollment file sent to CMS match issuer explanation.” Therefore, CMS concluded the Payment Desk Audit File was overstated by \$120.00 in premiums. • For the subscriber with a premium amount of \$353.00 reported in the Payment Desk Audit File for June through December, the issuer indicated “Issuer manually adjusted premium and billed member \$338 for months 06-12 to match correct SBE rate.” The SBE noted “SBE validates premium information is correct.” Therefore, CMS concluded the Payment Desk Audit File was overstated by \$105.00 in premiums. • For the subscriber with a premium amount of \$189.00 reported in the Payment Desk Audit File for February through December, the issuer indicated “Per SBE file received 01/20/14 total premium amount is \$187.00 with an APTC amount of \$121.00, leaving member portion at \$66.00 per month. This is reflected in issuer system and billed to the member. Rate is consistent with member’s age on 1/1/14.” Therefore, CMS concluded the Payment Desk Audit File was overstated by \$22.00 in premiums. • For the subscriber with a premium amount of \$200.00 reported in the Payment Desk Audit File for April through December,

Observation No. 6 - Forty-five (45) Subscribers Sample and Fifteen (15) Subscribers Sample Review	
	the issuer indicated “Per SBE file 3/11/14 correct Issuer premium is \$204. Moda under charged member by \$4 a month due to members age as of 1/1/14, not at time of initial enrollment 04/01/14.” The SBE noted “SBE data supports issuer’s explanation.” Therefore, CMS concluded the Payment Desk Audit File was understated by \$36.00 in premiums.
Effect:	The inclusion of the incorrect premium amounts for the five (5) subscribers resulted in a change to Moda’s final, restated 2014 benefit year EPDW data.
Corrective Action Required:	The premium impact of this observation is an overstatement of \$223.00 in premiums. CMS notes this observation for purposes of improving compliance in future program years.
Management Response:	Agree.

V. MANAGEMENT RESPONSES

Please provide management's response to the five (5) findings and six (6) observations identified in the draft audit report and complete the attached Appendix 1 - Issuer Management Response to Net Financial Adjustment (Appendix 1), within thirty (30) calendar days from the draft audit report date. Management's response should indicate agreement or disagreement.

Agreement

If management agrees with the five (5) findings and six (6) observations, complete the "Management Response" field of the findings and observations in the draft audit report, and initial "Agree" and sign the attached Appendix 1. Return the draft audit report including Appendix 1 within thirty (30) calendar days from the draft audit report date. Upon receipt of the signed Appendix 1, CMS will finalize and publish the report on the CCIIO webpage. CMS will process the final payment adjustment amount in the next available monthly payment cycle.

Disagreement

If management disagrees with any of the five (5) findings and corrective actions or any of the six (6) observations, complete the "Management Response" field of the findings and observations in the draft audit report, and initial "Disagree" and sign the attached Appendix 1. Return the draft audit report including Appendix 1 and any supporting documentation that substantiates management's response within thirty (30) calendar days from the draft audit report date. This will be the final opportunity to provide information or supporting documentation to correct any inaccuracies in the report before it is finalized.

CMS will review the written explanations in the "Management Response" field of the findings and observations and any supporting documentation to determine if the report can be amended in a mutually acceptable manner. If you and CMS are unable to come to a mutually acceptable result, your response to this report will be included in the final published audit report.

Please return the updated Appendix 1 within fifteen (15) calendar days. Upon receipt of the signed Appendix 1, CMS will finalize and publish the report on the CCIIO webpage. CMS will process the final payment adjustment amount in the next available monthly payment cycle.

Appendix 1 – Issuer Management Response to Net Financial Adjustment

Issuer HIOS ID: 39424

Issuer Name: Moda Health Plan, Inc. (Moda)

The undersigned Chief Executive Officer (CEO), Chief Financial Officer (CFO) or other individual who can legally and financially bind this issuer has reviewed the information included in the audit report of the issuer's 2014 benefit year APTC program participation, resulting in a payment of \$649,510.45 to CMS and:

(INITIAL) X Agrees with the audit net adjustment amount above, confirming the audit finding(s) and observation(s), if applicable, and as such this report will be considered final and published.

OR

(INITIAL) Disagrees and requests a review of additional information that may impact the audit net adjustment amount resulting from the 2014 benefit year audit. If review is requested, CMS will consider this draft only a preliminary audit report. If the review option is selected, you must provide a written explanation with any additional documentation when you return this response within thirty (30) calendar days of the date of this draft audit report. CMS will review the written explanation and any supporting documentation to determine if the report can be amended in a mutually acceptable manner. If you and CMS are unable to come to a mutually acceptable result, your response to this report will be included in the final published audit report.

Signed: 

(Signature of authorized person acting on behalf of the issuer)

Printed Name: Dave Evans

(Print name of signature)

Title: CFO

(Title of authorized person acting on behalf of the Issuer)

Telephone Number: 503-243-3952

(Direct Telephone Number)

Date: December 18, 2020

Appendix 2 – Applicable Regulations

The following table identifies the specific regulatory requirements around which CMS has organized its audits.

Regulation	Rules
45 CFR § 155.1210 – Maintenance of Records	<p>(a) General. The State Exchange must maintain and must ensure its contractors, subcontractors, and agents maintain for 10 years, documents and records (whether paper, electronic, or other media) and other evidence of accounting procedures and practices, which are sufficient to do the following:</p> <ul style="list-style-type: none">(1) Accommodate periodic auditing of the State Exchange's financial records; and(2) Enable HHS or its designee(s) to inspect facilities, or otherwise evaluate the State- Exchange's compliance with Federal standards. <p>(b) Records. The State Exchange and its contractors, subcontractors, and agents must ensure that the records specified in paragraph (a) of this section include, at a minimum, the following:</p> <ul style="list-style-type: none">(1) Information concerning management and operation of the State Exchange's financial and other record keeping systems;(2) Financial statements, including cash flow statements, and accounts receivable and matters pertaining to the costs of operations;(3) Any financial reports filed with other Federal programs or State authorities;(4) Data and records relating to the State Exchange's eligibility verifications and determinations, enrollment transactions, appeals, and plan variation certifications; and(5) Qualified health plan contracting (including benefit review) data and consumer outreach and Navigator grant oversight information. <p>(c) Availability. A State Exchange must make all records and must ensure its contractors, subcontractors, and agents must make all records in paragraph (a) of this section available to HHS, the OIG, the Comptroller General, or their designees, upon request.</p>

Regulation	Rules
<p>45 CFR § 156.460 - Reduction of enrollee's share of premium to account for advance payments of the premium tax credit</p>	<p>(a) Reduction of enrollee's share of premium to account for advance payments of the premium tax credit. A QHP issuer that receives notice from the Exchange that an individual enrolled in the issuer's QHP is eligible for an advance payment of the premium tax credit must—</p> <p>(1) Reduce the portion of the premium charged to or for the individual for the applicable month(s) by the amount of the advance payment of the premium tax credit;</p> <p>(2) Notify the Exchange of the reduction in the portion of the premium charged to the individual in accordance with § 156.265(g); and</p> <p>(3) Include with each billing statement, as applicable, to or for the individual the amount of the advance payment of the premium tax credit for the applicable month(s), and the remaining premium owed.</p>
<p>45 CFR § 156.480 - Oversight of the administration of the cost-sharing reductions and advance payments of the premium tax credit programs.</p>	<p>(a) Maintenance of records. An issuer that offers a QHP in the individual market through a State Exchange must adhere to, and ensure that any relevant delegated entities and downstream entities adhere to, the standards set forth in § 156.705 concerning maintenance of documents and records, whether paper, electronic, or in other media, by issuers offering QHPs in a Federally-facilitated Exchange, in connection with cost-sharing reductions and advance payments of the premium tax credit.</p> <p>(b) Annual reporting requirements. For each benefit year, an issuer that offers a QHP in the individual market through an Exchange must report to HHS, in the manner and timeframe required by HHS, summary statistics specified by HHS with respect to administration of cost-sharing reduction and advance payments of the premium tax credit programs, including any failure to adhere to the standards set forth under § 156.410(a) through (d), § 156.425(a) through (b), and § 156.460(a) through (c) of this Part.</p> <p>(c) Audits. HHS or its designee may audit an issuer that offers a QHP in the individual market through an Exchange to assess compliance with the requirements of this subpart.</p>

Regulation	Rules
<p>45 CFR § 156.705 – Maintenance of records for Federally-facilitated Exchanges</p>	<p>(a) General standard. Issuers offering QHPs in a Federally-facilitated Exchange must maintain all documents and records (whether paper, electronic, or other media) and other evidence of accounting procedures and practices, necessary for HHS to do the following:</p> <p>(1) Periodically audit financial records related to QHP issuers' participation in a Federally-facilitated Exchange, and evaluate the ability of QHP issuers to bear the risk of potential financial losses; and</p> <p>(2) Conduct compliance reviews or otherwise monitor QHP issuers' compliance with all Exchange standards applicable to issuers offering QHPs in a federally-facilitated Exchange as listed in this part.</p> <p>(b) Records. The records described in paragraph (a) of this section include the sources listed in § 155.1210(b)(2), (3), and (5) of this subchapter.</p> <p>(c) Record retention timeframe. Issuers offering QHPs in a Federally-facilitated Exchange must maintain all records referenced in paragraph (a) of this section for 10 years.</p> <p>(d) Record availability. Issuers offering QHPs in a Federally-facilitated Exchange must make all records in paragraph (a) of this section available to HHS, the OIG, the Comptroller General, or their designees, upon request.</p>

Appendix 3 – Glossary of Terms and Acronyms

Terms & Acronyms	Definition
APTC	Advance Payments of the Premium Tax Credit
CEO	Chief Executive Officer
CFO	Chief Financial Officer
CFR	Code of Federal Regulations
CMS	Centers for Medicare & Medicaid Services
CSR	Cost-sharing Reduction
DHHS	Department of Health and Human Services
EPDW	Enrollment and Payment Data Workbook
GAGAS	Generally Accepted Government Auditing Standards
HIOS	Health Insurance Oversight System
IRS	Internal Revenue Service
PPACA	Patient Protection and Affordable Care Act
PLR	Policy-level Reporting
PMPM	Per Member Per Month
QHP	Qualified Health Plan
SBE	State-based Exchange
TIN	Tax Identification Number