

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard
Baltimore, Maryland 21244-1850



MEDICARE PARTS C AND D OVERSIGHT AND ENFORCEMENT GROUP

February 24, 2026

Mr. Stephen Cindrich
President
Aspirus Health Plan, Inc.
3000 Westhill Drive, Suite 303
Wausau, WI 54401

Re: Notice of Imposition of Intermediate Sanction (Suspension of Enrollment) for Medicare Advantage-Prescription Drug Plan Contract Number: H6874

Dear Mr. Cindrich:

Pursuant to 42 C.F.R. §§ 422.756 and 423.756, the Centers for Medicare & Medicaid Services (CMS) hereby informs Aspirus Health Plan, Inc. (“Aspirus”) of its determination to impose an intermediate sanction on the following Medicare Advantage-Prescription Drug Plan (MA-PD) Contract: H6874.

This intermediate sanction will consist of the suspension of enrollment of Medicare beneficiaries into Aspirus contract H6874 (42 C.F.R. §§ 422.750(a)(1) and 423.750(a)(1)). CMS is imposing an intermediate sanction effective at 11:59 p.m. EST, February 24, 2026, pursuant to 42 C.F.R. §§ 422.756(c)(1) and 423.756(c)(1). CMS will provide Aspirus with detailed instructions regarding enrollment suspensions in a separate communication.

Summary of Noncompliance

On January 20, 2026, the Wisconsin Office of the Commissioner of Insurance (WI OCI) issued an Order to Aspirus notifying them to “cease and desist the writing of new and renewal business” due to issues with a third-party administrator (TPA). This TPA provides various services impacting Aspirus’ Medicare Advantage enrollees, such as customer service and care management, and provides claims processing services that have a direct impact on providers.

The parent company of this TPA was ordered into rehabilitation on December 17, 2025, by the District Court, Second Judicial District, County of Ramsey. As a result, WI OCI stated that effective immediately, “[Aspirus] is ordered to cease and desist the writing of new and renewal business where [the TPA] would be providing any services to policyholders.”

Aspirus must complete the transition to a new TPA by July 31, 2026. This transition shall include the transfer of all applicable administrative, management, and claims processing functions and shall be accomplished in a manner that ensures continuity of services for policyholders and compliance with all applicable laws and regulatory requirements.

Pursuant to 42 C.F.R. §§ 422.504(a)(1) and 423.505(a),(b)(2), organizations that contract with CMS to offer MA-PD plans must agree to accept new enrollments as provided in 42 C.F.R. Parts 422 and 423, Subpart B. Because Aspirus is not permitted to accept new enrollments under its license with the state of Wisconsin it is non-compliant with CMS's contract requirements.

Legal Basis for the Imposition of Intermediate Sanction

As a result of WI OCI's order, Aspirus is failing substantially to carry out its contract with CMS (42 C.F.R. §§ 422.510(a)(1) and 423.509(a)(1)) because it is not able to accept new enrollments. Aspirus's non-compliance provides a sufficient basis for the imposition of an intermediate sanction (42 C.F.R. §§ 422.752(b) and 423.752(b)).

Corrective Action Steps

Pursuant to 42 C.F.R. §§ 422.756(c)(3) and 423.756(c)(3), the sanction will remain in effect until CMS receives notification from the WI OCI that Aspirus can successfully operate under good standing and that the order has been removed, thereby allowing Aspirus to accept new enrollments.

Opportunity to Respond to Notice

Pursuant to 42 C.F.R. §§ 422.756(a)(2) and 423.756(a)(2), Aspirus has ten (10) calendar days from the date of receipt of this notice to provide a written rebuttal, or by March 9, 2026.¹ Please note that CMS considers receipt as the day after the notice is sent by fax, email, or overnight mail or in this case February 25, 2026. If you choose to submit a rebuttal, please send it to the attention of Kevin Stansbury at the email address noted below. Note that the sanction imposed pursuant to this letter is not stayed pending a rebuttal submission.

Right to Request a Hearing

Aspirus may also request a hearing before a CMS hearing officer in accordance with the procedures outlined in 42 C.F.R. §§ 422.641-696 and 423.650-668. Pursuant to 42 C.F.R. §§ 422.756(b) and 423.756(b), your written request for a hearing must be received by CMS within fifteen (15) calendar days from the date CMS notified you of this determination, or by March 12, 2026. Please note, however, a request for a hearing will not delay the effective date of the sanction.

The request for a hearing must be sent to CMS electronically to the CMS Office of Hearings (OH). OH utilizes an electronic filing and case management system, the Office of Hearings Case and Document Management System ("OH CDMS").

¹ March 7, 2026 falls on a weekend or holiday, therefore the date reflected in the notice is the next regular business day for you to submit your request.

Aspirus should complete the one-time OH CDMS registration process as soon as possible after receiving this Notice, even if Aspirus is unsure whether it will appeal CMS's determination. After the registration process is complete, Aspirus must then file its request for a hearing within the time frame set forth above.

Registration information (including how to add an outside representative/law firm to participate in the appeal), filing instructions and general information may be found on the OH webpage at <https://www.cms.gov/medicare/regulations-guidance/cms-hearing-officer/hearing-officer-electronic-filing>. Follow the OH CDMS External Registration Manual for step-by-step instructions regarding registration and the OH CDMS Hearing Officer User Manual for appeal filing instructions.²

A copy of the hearing request should also be emailed to CMS at the following address:

Kevin Stansbury
Director
Division of Compliance Enforcement
Centers for Medicare & Medicaid Services
Email: kevin.stansbury@cms.hhs.gov

CMS will consider the date the Office of Hearings receives the request via the CDMS as the date of receipt of the request(s). The request for a hearing must include the name, fax number, and email address of the contact within Aspirus (or an attorney who has a letter of authorization to represent the organization) with whom CMS should communicate regarding the hearing request.

Please note that we are closely monitoring your organization, and Aspirus may also be subject to other applicable remedies available under law, including the imposition of additional sanctions, penalties, or other enforcement actions as described in 42 C.F.R. Parts 422 and 423, Subparts K and O. CMS will consider taking action to immediately terminate your contract if issues that pose a serious threat to the health and safety of Medicare beneficiaries are identified or left uncorrected.

If you have any questions about this notice, please call or email the enforcement contact provided in your email notification.

Sincerely,

/s/

John A. Scott
Director
Medicare Parts C and D Oversight and Enforcement Group

² If technical assistance is required, please contact the OH CDMS Help Desk at 1-833-783-8255 or by email at helpdesk_ohcdms@cms.hhs.gov. The hours of operation are Monday–Friday (excluding federal holidays) from 7:00 a.m. to 8:00 p.m. Eastern Time.

cc: Kevin Stansbury, CMS/CM/MOEG/DCE
Ashley Hashem, CMS/OPOLE
Adams Solola, CMS/OPOLE
Valerie Porter, CMS/OPOLE