

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

September 2, 2021

Ms. Charlene Maher
President and Chief Executive Officer
Blue Cross of Idaho Care Plus, Inc.
3000 E. Pine Ave.
Meridian, ID 83642

Re: Notice of Release of Enrollment Suspension for Medicare Advantage - Prescription Drug
Plan Contract Number: H1302

Dear Ms. Maher:

On September 9, 2020, the Centers for Medicare & Medicaid Services (CMS) imposed an enrollment suspension on Blue Cross of Idaho Care Plus, Inc. (“Blue Cross of Idaho”) Medicare Advantage -Prescription Drug Plan contract H1302 for contract year (CY) 2020. The sanctions were imposed because Blue Cross of Idaho failed to maintain a Medical Loss Ratio (MLR) of at least 85% required by sections 1857(e)(4) of the Social Security Act (“the Act”) and made applicable to Medicare Part D contracts through section 1860D-12(b)(3)(D) of the Act. Section 1857(e)(4)(B) of the Act, implemented at 42 C.F.R. §§ 422.2410(c) and 423.2410(c), states that when an organization fails for three or more years to meet the 85% threshold, CMS must suspend that organization’s ability to accept new enrollments in the plan it offers under the non-compliant contract after the second succeeding contract year after which the organization failed to meet the minimum MLR requirement.

On July 26, 2021, Blue Cross of Idaho reported an MLR above 85%, thereby meeting the minimum MLR requirement for CY 2021. As a result, Blue Cross of Idaho is no longer in violation of CMS requirements and CMS is releasing the enrollment suspension for contract H1302 effective January 1, 2022. Additionally, CMS will allow Blue Cross of Idaho to offer plans under contract H1302 to new beneficiaries during the CY 2022 Annual Election Period (AEP), which will be held between October 15, 2021 and December 7, 2021.

Blue Cross of Idaho may be subject to enrollment suspensions in the future if Blue Cross of Idaho reports an MLR below 85% for contract H1302 for another three consecutive years, pursuant to sections 1860D-12(b)(3)(D) and 1857(e)(4)(B) of the Act and 42 C.F.R. §§ 422.2410(c) and 423.2410(c). 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

cc: Jennifer Shapiro, CMS/CM/MPPG
Kevin Stansbury, CMS/CM/MOEG/DCE
Brenda Suiter, CMS/OPOLE
Nyetta Patton, CMS/OPOLE
Bella Roytberg, CMS/OPOLE