

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**

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September 1, 2020

Mr. Timothy Spilker  
Chief Executive Officer  
Care Improvement Plus South Central Insurance Co.  
P.O. Box 9472  
Minneapolis, MN 55440-9472

Re: Notice of Release of Enrollment Suspension for Medicare Advantage - Prescription Drug  
Plan Contract Number: H5322

Dear Mr. Spilker:

On September 11, 2019, the Centers for Medicare & Medicaid Services (CMS) imposed an enrollment suspension on Care Improvement Plus South Central Insurance Co. (“Care Improvement Plus”) Medicare Advantage -Prescription Drug Plan contract H5322 for contract year (CY) 2020. The sanctions were imposed because Care Improvement Plus 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. The statute further provides, at section 1857(e)(4)(B) of the Act and 42 C.F.R. §§ 422.2410(c) and 423.2410(c), 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 27, 2020, Care Improvement Plus reported an MLR above 85%, thereby meeting the minimum MLR requirement for CY 2019. As a result, Care Improvement Plus is no longer in violation of CMS requirements and CMS is releasing the enrollment suspension for contract H5322 effective January 1, 2021. Additionally, CMS will allow Care Improvement Plus to offer plans under contract H5322 to new beneficiaries during the CY 2021 Annual Election Period (AEP), which will be held between October 15, 2020 and December 7, 2020.

Care Improvement Plus may be subject to enrollment suspensions in the future if Care Improvement Plus reports an MLR below 85% for contract H5322 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  
Ann Duarte, CMS/OPOLE  
Deanna Gee, CMS/OPOLE  
Nicole Edwards, CMS/OPOLE