

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop C1-22-06
Baltimore, Maryland 21244-1850



MEDICARE PARTS C AND D OVERSIGHT AND ENFORCEMENT GROUP

January 23, 2023

Mr. Patrick Blair
President and Chief Executive Officer
Total Longterm Care, Inc.
d/b/a InnovAge Colorado PACE
8950 East Lowry Boulevard
Denver, CO 80230

RE: Notice of Release of Imposition of Sanction to Suspend Enrollment of Programs of All-inclusive Care for the Elderly (PACE) Participants into contract number: H0613

Dear Mr. Blair:

On December 22, 2021, the Centers for Medicare & Medicaid Services (CMS) imposed an enrollment sanction on Total Longterm Care, Inc. d/b/a InnovAge Colorado PACE (InnovAge CO). The sanction immediately suspended InnovAge CO's ability to enroll new participants into its Programs of All-Inclusive Care for the Elderly (PACE) contract (H0613), operating in Colorado. The sanction was imposed due to clinical and operational deficiencies detected during a 2021 CMS audit.

On October 27, 2022, InnovAge CO attested that all of the violations, which formed the basis for the sanction, as cited in the sanction notice, were corrected as of September 1, 2022.

Pursuant to 42 C.F.R. § 460.42(c), CMS required InnovAge CO to undergo a validation audit of all the operational areas cited in the notice before the enrollment suspension could be lifted. CMS evaluated the results of the validation audit in making their determination on whether InnovAge CO has corrected the deficiencies that formed the basis for the sanction. Based on the results of the validation audit and the ongoing monitoring conducted by federal regulators, CMS has determined that InnovAge CO's sanction-related deficiencies have been sufficiently corrected. Therefore, effective January 23, 2023, the sanction is released from contract H0613 and InnovAge CO will return to normal enrollment status.

CMS expects InnovAge CO to conduct post sanction corrective action and monitoring activities with CMS' Medicare Parts C and D Oversight and Enforcement Group (MOEG) to address any issues identified during the validation audit. CMS will provide a more detailed monitoring plan in a separate communication.

For any initial audit conditions that were outside of the scope of the sanction, CMS expects

InnovAge CO to continue any needed oversight and correction activities with the CMS Regional Account Manager. Please note that any future failures to comply with PACE program requirements may subject InnovAge CO to other remedies available under law, including the imposition of intermediate sanctions, civil money penalties, or termination of the PACE program agreement as described in 42 C.F.R. Part 460, Subpart D.

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: Kevin Stansbury, CMS/CM/MOEG/DCE
Tamara McCloy, CMS/OPOLE
Annemarie Anderson, CMS/OPOLE
Mary Jane Spuhler, CMS/OPOLE