

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



CENTER FOR MEDICARE

July 02, 2025

Warning Letter

Contract ID: H9179

Parent Organization Name: Trinity Health Corporation

Legal Entity Name: TRINITY HEALTH PLAN OF MICHIGAN INC

Patricia Suffern
Medicare Compliance Officer
3100 Easton Square Place
Suite 300-Health Plan
Columbus, OH 43219

VIA EMAIL: patricia.suffern@medigold.com

RE: CY 2025 MONITORING OF POSTED COMPREHENSIVE FORMULARY ERRORS

Dear Patricia Suffern:

The Centers for Medicare & Medicaid Services (CMS) is issuing this warning letter to TRINITY HEALTH PLAN OF MICHIGAN INC, which operates Medicare Part D Contract ID H9179, regarding errors on its posted formulary. We are issuing a warning letter because CMS previously issued compliance to your organization due to errors found during the contract year (CY) 2024 monitoring study.

Pursuant to 42 C.F.R. § 423.2262(a)(1)(iii), Part D sponsors may not “engage in activities that could mislead or confuse Medicare beneficiaries, or misrepresent the Part D sponsor” or its Part D plan. Consistent with 42 C.F.R. § 423.128(d), Part D sponsors must have mechanisms for providing specific information on a timely basis to current and prospective enrollees upon request, which includes maintaining a website that provides current formulary information. As explained in the November 4, 2024 Health Plan Management System (HPMS) memo entitled *Contract Year 2025 Monitoring of Posted Comprehensive Formularies*, “Part D sponsors must post their current formulary on their website, inclusive of drug tier level, applicable quantity limit (QL) restrictions, prior authorization (PA), limited access (LA), and step therapy (ST) requirements. Part D sponsors must also post all ST and PA criteria documents.” Also, as noted in the 2025 Part D Model Formulary (Abridged and Comprehensive), plans must insert HPMS Approved Formulary File Submission ID and date of last update. Plans may include abbreviations within the Requirements/Limits column (e.g., QL for quantity limits) but must include an explanation at the beginning of the formulary table explaining each abbreviation. [1]

During November 2024, CMS conducted a monitoring study, which was announced in the aforementioned November 4, 2024 HPMS memo. The study compared formularies posted on plan

websites to their CMS-approved HPMS formularies, and your organization was selected to participate in the monitoring effort. CMS identified a targeted sample of drugs for review on your posted formulary. CMS identified errors and communicated them to your organization on December 5, 2024, with the expectation that all errors would be corrected through an iterative process. While your organization may have corrected all CMS-identified discrepancies by December 2024, CMS is issuing this compliance notice because your organization has failed, as determined through our monitoring studies, to comply with the formulary display requirements.

The plan posted its formulary on its website with a plan name that is inconsistent with the name by which the plan is known (HPMS Plan Name). Your organization is out of compliance with Part D requirements because its posted formulary was materially inaccurate.

Please be aware that this letter will be included in the record of your organization's past Medicare contract performance, which CMS will consider as part of our review of any application for new or expanded Medicare contracts your organization may submit. CMS deems this instance of non-compliance a Part D issue. CMS notes that we are issuing this compliance notice based exclusively on information that we obtained from sources other than the sponsor's own self-disclosure.

In the future, please ensure that your organization maintains a posted formulary that is consistent with its CMS-approved formulary. If you have technical, formulary-related questions about this notice, please contact CMS at PartDformularies@cms.hhs.gov. If you have questions related to the compliance implications of this notice, please contact Christine.Hill@cms.hhs.gov. Please copy your account manager on all communications.

Sincerely,



Linda Anders, Division Director
Division of Benefit Purchasing and Monitoring
Medicare Drug Benefit and C&D Data Group

CC via email:

Brenita Betts, CMS
Arianne Spaccarelli, CMS
Brian Martin, CMS
Christine Hill, CMS

[1] Model Part D documents may be found on the CMS website at <https://www.cms.gov/Medicare/Prescription-Drug-Coverage/PrescriptionDrugCovContra/Part-D-Model-Materials>.