

NEBRASKA

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DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

CERTIFIED MAIL # 7017 1450 0002 1125 5005
Return Receipt Requested

August 16, 2017

Lauralie Rubel, Plan President
WellCare of Nebraska
8055 O Street
Lincoln NE 68510

RE: Contract Number 71164 O4 – Notice of Corrective Action

Dear Mrs. Rubel:

The Nebraska Department of Health and Human Services (DHHS), Division of Medicaid and Long-Term Care (MLTC) has contracted with WellCare Health Plans, Inc. (D.B.A. WellCare of Nebraska) to provide Medicaid Managed Care integrated physical health, behavioral health and pharmacy services to enrollees in the State of Nebraska. As part of Contract Number 71164-O4, WellCare of Nebraska has a responsibility to notify MLTC in writing within two business of a change in key staff per Section IV.D.2.f. In addition, WellCare has a responsibility to submit reports per Section IV.O.11.a. The semiannual claims audit and medical necessity review reports were not submitted by June 30, 2017. Finally, WellCare has a responsibility to reimburse providers timely and accurately. Per Section IV.Q.14, WellCare may be subject to sanctions, if there is a demonstrated pattern of inappropriately denying or delaying provider payment for covered services.

Due to ongoing and serious deficiencies in WellCare of Nebraska's performance of its contract with the State of Nebraska, as described in more detail in the attachment, the Department of Health and Human Services requires a Corrective Action Plan (CAP).

These violations are grounds for requiring WellCare of Nebraska to submit a CAP under Section V. 1. A. iii f the contract. Therefore WellCare of Nebraska is required to submit a completed CAP (see attachment) for DHHS's review and subsequent approval no later than September 15, 2017, that details how WellCare is complying with applicable terms of the contract and includes the date that WellCare will come into compliance with the corresponding terms of the contract.

Further, liquidated damages may be imposed on WellCare of Nebraska in the amount of \$1,000 per day for each day after the 30 allowed calendar days that a key position remains unfilled by a qualified person approved by MLTC and/or for each calendar day that the claims audit and medical necessity reports are late, inaccurate, or are not in the approved format. Further liquidated damages may be imposed if WellCare of Nebraska fails to come into compliance with Section IV.Q.14 of the contract. DHHS shall waive the liquidated damages if (1) WellCare of Nebraska timely submits a CAP, which is approved by DHHS, and (2) fully and timely completes all action items contained within the CAP.

Sincerely,



Jennifer Crouse, Administrator
Plan Management

cc: Thomas "Rocky" Thompson, Interim Director, MLTC
Heather Leschinsky, Deputy Director, Delivery Systems, MLTC