



State of California—Health and Human Services Agency  
Department of Health Care Services



December 13, 2022

*THIS LETTER SENT VIA EMAIL*

Ms. Kristen Cerf, CEO  
Blue Shield of CA Promise Health Plan  
601 Potrero Grande Drive.  
Monterey Park, CA 91755

NOTICE OF IMPOSITION OF MONETARY SANCTIONS FOR FAILURE TO MEET  
MINIMUM PERFORMANCE LEVELS FOR MEDI-CAL MANAGED CARE  
ACCOUNTABILITY SET PERFORMANCE MEASURES

Dear Ms. Cerf,

The Department of Health Care Services (DHCS) sends this notice of imposition of monetary sanctions for Blue Shield of CA Promise Health Plan's failure to meet required minimum performance levels (MPLs) for measurement Year (MY) 2021 Medi-Cal Managed Care Accountability Set (MCAS) performance measures.

Under the contract with DHCS, Blue Shield of CA Promise Health Plan is required to meet or exceed DHCS' established MPLs for each Health Effectiveness Data and Information Set (HEDIS) measure, and all other required MCAS performance measures. (Exhibit A, Attachment 4, Quality Improvement System, section A, 3).

Successful administration of the Medi-Cal program requires a collaborative partnership between DHCS and Medi-Cal Managed Care Plans (MCPs). This collaboration includes the expectation that MCPs will meet their contractual and programmatic requirements on an ongoing basis. Blue Shield of CA Promise Health Plan and DHCS regularly collaborated on strategies for improving the Plan's MCAS performance measures required to meet MPLs. On July 20, 2022, DHCS received validated MCAS measure rates from the External Quality Review Organization and confirmed that Blue Shield of CA Promise Health Plan has 6 plan wide measures below the MPL for reporting year 2022.

Under Welfare and Institutions Code (WIC) section 14197.7 and the contract, DHCS has authority to impose monetary sanctions for Blue Shield of CA Promise Health Plan's failure to meet or exceed its MPLs for all applicable MCAS performance measures. (Exhibit E, Attachment 2, Program Terms and Conditions, section 16

Sanctions, B; WIC § 14197.7(e)(4).) As noted above, Blue Shield of CA Promise Health Plan's contract requires it to meet or exceed the DHCS established MPLs for each MCAS performance measure. (Exhibit A, Attachment 4, Quality Improvement System, section A, 3). Blue Shield of CA Promise Health Plan's confirmed failure to meet the MPL as outlined in the contract creates good cause for DHCS to impose monetary sanctions. (Exhibit E, Attachment 2, Program Terms and Conditions, section 16 Sanctions, C. 2; WIC § 14197.7(e)(4)).

DHCS is imposing monetary sanctions for Blue Shield of CA Promise Health Plan's failure to comply with its obligations set forth in the contract. Under WIC section 14197.7(f), DHCS is authorized to impose a \$25,000 sanction per violation of Blue Shield of CA Promise Health Plan's contractual obligation to meet or exceed MPLs for each MCAS performance measure. The total sanction amount is \$29,000, because Blue Shield of CA Promise Health Plan has the following 6 measures below the MPL for reporting year 2022:

Reporting Unit	Measures*	MPL	MCP Rates	TRENDING Difference from HEDIS MY 2020
San Diego County	BCS	53.93%	50.06%	-1.73%
	CCS	59.12%	53.92%	-6.13%
	IMA-2	36.74%	33.33%	-2.76%
	W30 -6	54.92%	40.57%	15.27%
	W30-2	70.67%	56.68%	2.80%
	WCV	45.31%	44.11%	8.74%

\*Please see Table 1 for acronym definition

Pursuant to WIC section 14197.7(g) and in accordance with the November 14, 2022 Quality Sanction Bulletin, DHCS has considered the following factors in determining the sanction amount.

- Number of eligible members impacted by the quality of care violation and scope of the harm;
- Degree to which MCP is below each MPL;
- Whether MCP's performance on the MPL(s) at issue has improved or worsened over the previous measurement year; and
- Any other applicable factor under WIC section 14197.7(g).

Blue Shield of CA Promise Health Plan is also required to submit a revised comprehensive quality strategy on or before January 31, 2023, that includes new interventions designed to meet or exceed the required 2023 milestones, and details how it intends to devote adequate resources and staff to quality improvement.

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Blue Shield of CA Promise Health Plan may request to meet with the department to discuss additional information they wish to share that may impact the final sanction amount within two business days of receiving this notice. In the event you would like to request a meet and confer conference, please the request via email to [QPHM@dhcs.ca.gov](mailto:QPHM@dhcs.ca.gov) with the subject Quality Sanction: Request to Meet and Confer.

Sincerely,

*Palav Babaria*

Palav Babaria  
Deputy Director, Chief Quality Officer  
Quality and Population Health Management  
Department of Health Care Services

Enclosure

Michelle Baass  
Director  
Department of Health Care Services

Jacey Cooper  
Chief Deputy Director, Health Care Programs  
Department of Health Care Services

John Puente  
Deputy Director and Chief Counsel  
Department of Health Care Services

Susan Philip  
Deputy Director, Health Care Delivery Systems  
Department of Health Care Services

Bambi Cisneros  
Assistant Deputy Director, Managed Care  
Health Care Delivery Systems  
Department of Health Care Services

Michelle Retke  
Contracting Officer, Chief of Managed Care Operating Division  
Health Care Delivery Systems  
Department of Health Care Services

Dana Durham

Chief of Managed Care Quality and Monitoring Division  
Health Care Delivery Systems  
Department of Health Care Services

Susan Fleischman, Chief Medical Officer  
Blue Shield of CA Promise Health Plan  
601 Potrero Grande Drive.  
Monterey Park, CA 91755

Kimberly Fritz, Associate Vice President  
Blue Shield of CA Promise Health Plan  
601 Potrero Grande Drive.  
Monterey Park, CA 91755

<b>TABLE 1: DOMAIN, MEASURE, &amp; ACRONYM</b>		
<b>Domain</b>	<b>Measure</b>	<b>Acronym</b>
<b>Children's Preventive Services</b>	Child and Adolescent Well-Care Visits (WCV)	WCV
	Childhood Immunization Status: Combination 10 (CIS-10)	CIS-10
	Immunizations for Adolescents: Combination 2 (IMA-2)	IMA-2
	Weight Assessment and Counseling for Nutrition and Physical Activity for Children/Adolescents: BMI Assessment for Children/Adolescents (WCC-BMI),	WCC-BMI
	Weight Assessment and Counseling for Nutrition and Physical Activity for Children/Adolescents: Nutrition (WCC-N)	WCC-N
	Weight Assessment and Counseling for Nutrition and Physical Activity for Children/Adolescents: Physical Activity (WCC-PA)	WCC-PA
	Well-Child Visits in the First 30 Months of Life - Well-Child Visits in the First 15 Months (W30)	W30 6+
	Well-Child Visits in the First 30 Month of Life - Well-Child Visits for Age 15 Months - 30 Months (W30)	W30 2+
<b>Women's Health Domain</b>	Breast Cancer Screening	BCS
	Cervical Cancer Screening	CCS
	Chlamydia Screening in Women	CHL
	Prenatal and Postpartum Care: Postpartum Care	PPC-Pst
	Prenatal and Postpartum Care: Timeliness of Prenatal Care	PPC-Pre
<b>Chronic Disease Domain</b>	Comprehensive Diabetes Care: HbA1c Poor Control (>9.0%)	CDC-H9
	Controlling High Blood Pressure	CBP

## NOTICE OF APPEAL RIGHTS

Blue Shield of CA Promise Health Plan has the right to request a hearing in connection with any sanctions within 15 business days after receipt of the notice to impose sanctions. DHCS will stay the imposition of sanctions upon receipt of the request for a hearing until the effective date of a final decision from the Office of Administrative Hearings and Appeals. Blue Shield of CA Promise Health Plan may request a hearing by sending a letter so stating to the Office of Administrative Hearings and Appeals at the address below:

Chief Administrative Law Judge  
Office of Administrative Hearings and Appeals Department of Health Care Services  
3831 N. Freeway Blvd., Suite 200  
Sacramento, CA 95834

A copy of the hearing request shall also be sent to:

Priya Motz  
Acting Quality & Health Equity Transformation Branch Chief  
Quality and Population Health Management  
Department of Health Care Services  
MS 441  
P.O. Box 997413  
Sacramento CA 95899-7413

John Puente  
Deputy Director and Chief Counsel  
Office of Legal Services  
Department of Health Care Services  
MS 0010  
P.O. Box 997413  
Sacramento CA 95899-7413

Quality & Population Health Management  
1501 Capitol Avenue, MS 0000  
P.O. Box 997413  
Sacramento, CA 95899-7413  
Phone (916) 449-7400 Fax (916) 440-7404