

July 1, 2025

*THIS LETTER SENT VIA EMAIL*

Mr. Steve Sohn  
Chief Administrative Officer  
Liberty Dental Plan of California  
1730 Flight Way, Suite 125  
Tustin, CA 92782

RESPONSE REGARDING CORRECTIVE ACTION PLAN FOR GRIEVANCES  
ALLEGING DISCRIMINATION

Dear Mr. Sohn,

The Department of Health Care Services (DHCS) is writing regarding the Notice of Deficiency (NOD) sent to Liberty on May 9, 2025, and accordance with Dental Managed Care (DMC) contracts 12-89343 (GMC) and 13-90117 (PHP) and Dental All Plan Letters (APLs) 21-001 and 22-006.

Liberty submitted a Corrective Action Plan (CAP) to DHCS on June 2, 2025. Liberty stated that they submitted all grievances with a discrimination allegation component resolved between October 1, 2024, to April 11, 2025, to DHCS's designated discrimination grievance email box. Additionally, on the submitted CAP, Liberty stated, *"Liberty followed all required member facing grievance and appeal procedures to include making members whole. Liberty, however, did not independently forward the case copies to the State within 10 calendar days after resolution due to a breakdown in communication and inadequate policies and procedures."*

In the NOD to Liberty, DHCS requested that affected Members are given their due process and made whole wherein Liberty did not report to DHCS, as required by APL 21-001 that was issued to the DMC plans on May 14, 2021. DHCS requests that Members with alleged discrimination grievances that were not forwarded by Liberty to DHCS within 10 days of resolution, prior to October 1, 2024, please be made whole.

On the enclosed CAP Response Form, DHCS has reviewed and responded to the findings. For any CAP that is not closed, please complete the CAP Response Form and submit supporting documentation.

DHCS is requesting that Liberty provide an updated CAP with documentation within thirty (30) days of the date of this letter, pursuant to APL 22-009. Should you have any questions regarding this response to Liberty's CAP, please email [dmcdeliverables@dhcs.ca.gov](mailto:dmcdeliverables@dhcs.ca.gov).

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Please note, if you are unable to correct the noted deficiencies and/or complete the CAP within six (6) months of receiving notice of violation from DHCS, DHCS may exercise its right pursuant to APL 22-009: Enforcement Actions: Administrative and Monetary Sanctions, Provision 3, Termination, Provision 18, Sanctions or Provision 19, Liquid Damages Provision in Exhibit E, Additional Provisions, of the contract.

Sincerely,

*Original signed by:*

Dana Durham  
Chief, Medi-Cal Dental Services Division  
Department of Health Care Services

Enclosure: CAP Response Form

## Corrective Action Plan Response Form

### DMC Plan: Liberty Dental Plan

The Medi-Cal Dental Managed Care (DMC) plan is required to submit a corrective action plan (CAP) within 30 calendar days. The CAP response must include completion of the prescribed columns below to include a description of the corrective action, a list of all supporting documentation submitted, and the CAP implementation date. For systemic deficiencies that may be reasonably determined to require long-term corrective action for a period longer than 30 days to fully remediate or operationalize, the DMC plan must demonstrate that sufficient progress has been made toward implementation of the CAP. In those instances, the DMC plan is required to include the dates for key milestones as well as when full compliance will be achieved. CAP reporting on the deficiency(ies) will continue through demonstrative compliance.

The Department of Health Care Services will maintain close communication with the DMC plan throughout the CAP review process and provide technical assistance as needed.

Finding / Summary	Action Taken	Supporting Documentation	Implementation Date	DHCS Comments
Liberty did not comply with APL 21-001 in the timely and accurate submission of all discrimination grievances to DHCS and the appropriate remediation of any previously unsubmitted discrimination Grievances to make all	A memo was issued to the CA Grievance and Appeals Team with the SOP "GA SOP - Anti Discrimination Process", requiring attestation of understanding & immediate implementation.	GA SOP_Memo_Signed Attestations_04.11.2025	Completed 04/11/25	7/1/25: DHCS accepts this documentation.

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affected members Whole.				
Liberty did not comply with APL 21-001 in the timely and accurate submission of all discrimination grievances to DHCS and the appropriate remediation of any previously unsubmitted discrimination Grievances to make all affected members Whole.	A training was conducted with the CA G&A team to review the SOP in detail and provide team opportunity to ask questions.	West Coast Team Huddle - Attendance report 4-17-25	Completed 04/17/2025	7/1/25: DHCS accepts this documentation.
Liberty did not comply with APL 21-001 in the timely and accurate submission of all discrimination grievances to DHCS and the appropriate remediation of any previously unsubmitted	All grievances with a discrimination allegation component resolved between October 1, 2024 - April 11, 2025 were forwarded to the DHCS OCR's designated discrimination grievance email box	Reporting of Q4 24 _Q1 25 DiscrimGriev_DHCS	Completed 04/24/2025	7/1/25: DHCS accepts this documentation for cases that were resolved between 10/1/24-4/11/25. However, DHCS requests documentation

Finding / Summary	Action Taken	Supporting Documentation	Implementation Date	DHCS Comments
discrimination Grievances to make all affected members Whole.	(DHCS.DiscriminationGrievances@dhcs.ca.gov).			confirming that cases prior to 10/1/24 were forwarded to DHCS OCR to make all affected members whole.
Liberty did not comply with APL 21-001 in the timely and accurate submission of all discrimination grievances to DHCS and the appropriate remediation of any previously unsubmitted discrimination Grievances to make all affected members Whole.	Oversight procedure to be implemented to ensure all discrimination grievances that are closed the week prior are reviewed by the Lead/Supervisor to confirm timely forward to DHCS.	Weekly Oversight_CA DHCS_DiscriminationCases	Continuous, Started 04/28/25	7/1/25: DHCS accepts this documentation for cases that were resolved between 10/1/24-4/11/25. However, DHCS requests documentation confirming that cases prior to 10/1/24 were forwarded to DHCS OCR to make all affected members whole.
Liberty did not comply with APL 21-001 in the timely and accurate submission of all	Formal grievance policy for CA Medicaid market to be updated to reference the	PENDING; To be provided upon update/approval	Estimated 06/06/2025	7/1/25: DHCS has reviewed and denies CAP provided from

Finding / Summary	Action Taken	Supporting Documentation	Implementation Date	DHCS Comments
discrimination grievances to DHCS and the appropriate remediation of any previously unsubmitted discrimination Grievances to make all affected members Whole.	sop "GA SOP - Anti Discrimination Process".			Liberty submitted on June 2, 2025. The CAP is missing supporting documentation that has not yet been submitted.
Liberty did not comply with APL 21-001 in the timely and accurate submission of all discrimination grievances to DHCS and the appropriate remediation of any previously unsubmitted discrimination Grievances to make all affected members Whole.	Grievance training materials for CA Medicaid LOB to up updated to ensure it includes requirements/references to "GA SOP - Anti Discrimination Process".	PENDING; To be provided upon update	Estimated 06/13/2025	7/1/25: DHCS has reviewed and denies CAP provided from Liberty submitted on June 2, 2025. The CAP is missing supporting documentation that has not yet been completed and does not satisfactorily demonstrate that all affected members have

Finding / Summary	Action Taken	Supporting Documentation	Implementation Date	DHCS Comments
				been made whole.
Liberty did not comply with APL 21-001 in the timely and accurate submission of all discrimination grievances to DHCS and the appropriate remediation of any previously unsubmitted discrimination Grievances to make all affected members Whole.	Update to the MIS to includes a reportable field to capture the date the resolution details were forwarded to the DHCS inbox for all discrimination grievances.	PENDING; To be provided upon implementation	Estimated 06/30/2025	7/1/25: DHCS has reviewed and denies the CAP provided from Liberty submitted on June 2, 2025. The CAP is missing supporting documentation that has not yet been completed and does not satisfactorily demonstrate that all affected members have been made whole.