

Aetna Better Health® of Louisiana
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November 8, 2024

VIA E-MAIL

Ms. Kolynda Parker, MHS, MLS (ASCP) CM, CPHQ, CLSSGB
Medicaid Deputy Director
Louisiana Department of Health
628 N. Fourth Street
Baton Rouge, LA 70821

Re: Request for Reconsideration of Notice of Action – Failure to Meet Case Management Requirements Timely

Dear Ms. Parker:

Aetna Better Health of Louisiana (“Aetna”) respectfully submits this response and request for reconsideration of the imposition of a Notice of Action as detailed in your letter dated October 23, 2024, and received October 24, 2024, alleging that Aetna failed to meet Case Management requirements timely. Pursuant to Section 3.2.5.1.1 of the LDH-Aetna January 1, 2023, Contract, (collectively herein referred to as “Contract”), please accept this appeal by Aetna of the above-referenced Notice of Action (“NOA”).

Threshold is not Articulated

A thorough review of the Contract, LDH MCO Manual, and 0039 Report demonstrates there is no explicit threshold for the eighty percent (80%) compliance. While the Notice of Action specifies that two of the reporting periods were out of compliance, it does not explicitly state the threshold of non-compliance. While the compliance percentage is present for other requirements, it is not for this requirement, and therefore a sanction is not appropriate. Furthermore, Section 2.7.5 allows “[i]f requested by the Enrollee, or the Enrollee's parent or legal guardian, the frequency and/or method of engagement may be increased, reduced, or substituted or declined.” If for instance, an enrollee asks to do an in-person assessment over the phone, as allowed by contract, that telephonic should be counted as a “successful contact” for the in-person measure; however, under the current 0039 formula it would be attributed to the “member declined visit.”

Inability to replicate data from the Notice of Action

The numbers referenced in the Notice of Action do not reflect data submitted by Aetna. Upon further review of the portal submissions, we are unable to identify the data’s source of truth: the denominators (total Tier 3 members) do not match Aetna supplied number, nor can we decipher what

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is being included in the completed numerator (successful, UTR, Decline). Furthermore, we are unable to ascertain what data is included in the “not completed” numerator as this does not match our submitted data for the reporting periods of April, May, and June.

Please find below a comparison of the numbers provided in the NOA and the data we provided on Aetna’s 0039 report submissions.

April	NOA Completed	Aetna Completed Submission			NOA Not Completed	Aetna Not Completed
		Successful	UTR	Decline		Visit Not Attempted
		44	18	28		86
Numerator	90	90			78	86
Denominator	168	176			168	176
Percent	54%	51%			46%	48.8%
May	NOA Completed	Aetna Completed Submission			NOA Not Completed	Aetna Not Completed
		Successful	UTR	Decline		Visit Not Attempted
		72	25	0		80
Numerator	97	97			71	80
Denominator	168	177			168	177
Percent	56%	54.8%			42%	45%
June	NOA Completed	Aetna Completed Submission			NOA Not Completed	Aetna Not Completed
		Successful	UTR	Decline		Visit Not Attempted
		70	34	51		24
Numerator	155	155			23	24
Denominator	178	179			178	179
Percent	87%	87%			13%	13%

Systemic issues with the 0039 report template

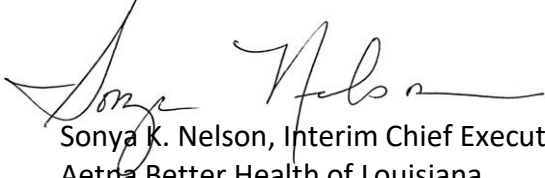
Compliance calculations on the 0039 report are in conflict with contract requirements, specifically the formula on the summary tab entitled “In Person Contact Compliance.” In Person Contact Compliance calculations on the 0039 report only account for successful contact within the numerator, which neither accounts for a member who declines nor considers a member’s inability to be reached.

Aetna reported a concern to LDH on May 29, 2024 regarding the timing of data capture. The report requires monthly input for Tier 2 member contacts; however, the contract requires data capture on a quarterly basis. By reviewing monthly, the data does not align with the quarterly compliance requirement for outreach. LDH’s response indicated awareness of the contact compliance issues and that LDH is working on revisions which to date have not occurred.

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Based on the circumstances described above, Aetna respectfully submits that the imposition of a Notice of Action, under these circumstances, should be withdrawn. Thank you for your consideration of this request. Aetna values its relationship with the State of Louisiana and looks forward to working with LDH now and in the future to provide quality and cost-effective health care to its Healthy Louisiana enrollees.

Sincerely,

A handwritten signature in black ink, appearing to read "Sonya K. Nelson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Sonya K. Nelson, Interim Chief Executive Officer
Aetna Better Health of Louisiana

SN/EB