



**COLORADO**

Department of Health Care  
Policy & Financing

1570 Grant Street  
Denver, CO 80203

# InnovAge Enrollment Moratorium FAQ

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December 23, 2021

Effective December 23, 2021, the Department of Health Care Policy & Financing (Department) suspended new enrollments into InnovAge Colorado's Program for All-inclusive Care for the Elderly ([PACE](#)). In addition, the Department has requested a corrective action plan from InnovAge to address the identified operational failures. These sanctions will remain in place until the Department and Centers for Medicare and Medicaid Services (CMS) are satisfied with the implementation of the corrective action plan and demonstration of ongoing success.

The following FAQs will provide further information regarding this action.

## What is InnovAge and what service does it provide to Health First Colorado (Colorado's Medicaid program)?

InnovAge is the nation's largest provider of services under the Program of All-Inclusive Care for the Elderly (PACE). As a contracted provider for the Department, InnovAge is responsible for providing all-inclusive services to Medicaid members who elect to participate in the PACE program. As of December 2021, InnovAge provides services to more than 3,500 Medicaid members within the following service areas:

1. *Aurora PACE Center* - 3551 N. Chambers Aurora, CO 80011
2. *Denver PACE Center* - 1265 South Broadway Denver, CO 80210
3. *Lakewood PACE Center* - 8405 W. Alameda Ave. Lakewood, CO 80226
4. *Northern Colorado PACE Center* - 1303 E. 11<sup>th</sup> St. Loveland, CO 80537
5. *Pueblo PACE Center* - 401 W. Northern Ave. Pueblo, CO 81004
6. *Thornton PACE Center* - 445 E. 124<sup>th</sup> Ave. Thornton, CO 80241

## What prompted the Department to suspend new enrollments into InnovAge Colorado's PACE program?

Violations of the PACE program requirements were found during an audit. These violations, in summary, include:

1. Failure to provide all Medicare and Medicaid covered services, as well as other services determined necessary by the interdisciplinary team (IDT) to improve and maintain the member's overall health status;
2. Failure to ensure accessible and adequate services to meet the needs of its members;



3. Failure of the IDT to coordinate 24-hour care delivery and to track and share important information from other team members, members, and caregivers; and
4. Failure of the InnovAge primary care providers (PCP) to manage their members' medical needs and facilitate their members' access to medical specialists.

### **What actions are being taken by the Department?**

As an outcome of these audit results, the Department has concluded that InnovAge Colorado failed substantially to provide its Medicaid members with medically necessary items and services covered under PACE, which adversely affected or had the substantial likelihood of adversely affecting its members. This determination was made as a result of deficiencies discovered during an audit. Consequently, the Department has determined that the seriousness of these deficiencies requires the suspension of any new enrollments of Medicaid beneficiaries for all of InnovAge's Colorado centers until the findings are addressed to the satisfaction of the Department and CMS, independently and in the aggregate. The Department is also requiring that InnovAge Colorado complete a Corrective Action Plan which will include remedies for the failures identified in the audit. This process improves the care provided to - and therefore the health and well-being of - those Medicaid members served by InnovAge Colorado.

### **Who does this action impact?**

This action impacts InnovAge Colorado's operations. It prevents InnovAge from enrolling new members during the sanctions, and requires InnovAge to focus on correcting operational failures, which is in the best interest of individuals in the care of InnovAge. Once InnovAge demonstrates acceptable improvement, as determined by the Department, to their service delivery through implementation of a corrective action plan, InnovAge may begin enrolling new members at that time.

### **How does this action impact members currently being served by InnovAge?**

The new member enrollment sanction does not impact currently enrolled members. The actions taken by the Department do require InnovAge to address operational failures and focus on providing proper care for currently enrolled individuals through the completion of a corrective action plan. If members wish to disenroll from InnovAge PACE, they can contact their [Case Management Agency](#).

The corrective action plan will improve the care provided to InnovAge Colorado customers, in addition to the Department's requirement of InnovAge to immediately address customer-specific findings identified during the audit, where appropriate.

### **Are there enough other PACE providers available to serve the demand for PACE services? Might there be a waitlist?**

PACE providers must be approved by the Centers for Medicare and Medicaid Services (CMS) per the zip code they are applying for. In Colorado, each provider represents their specific zip codes. This action will not affect other PACE providers' ability to provide PACE services in



their approved service delivery areas. Those wishing to obtain PACE services within the InnovAge service area must wait until the sanctions are lifted. During that time, individuals may contact their [Case Management Agency](#) to determine the home and community-based services they are eligible for. They may also contact their [Regional Accountable Entity](#) to determine what medical and behavioral health services they are eligible for.

### **What is the PACE program, who can utilize it and what services are offered?**

Information on the PACE program and services provided is located on the Department's [PACE website](#).

### **Can InnovAge continue servicing existing members?**

During the sanction period, InnovAge must comply with all requirements set forth by the federal Centers for Medicare and Medicaid Services (CMS), the Department and the Colorado Department of Public Health & Environment (CDPHE). These requirements will provide additional oversight of the service delivery to current members. If an individual is not receiving services or would like to file a complaint, the individual can contact the Department at [HCPF\\_PACE@state.co.us](mailto:HCPF_PACE@state.co.us) or 303-866-5306.

### **Who is responsible for administering this action?**

The Department, CDPHE and CMS are responsible for the oversight of the PACE program. In Colorado, the Department has primary oversight of InnovAge as a contracted provider and the State Administering Agency per [42 CFR 460](#). CDPHE provides oversight of PACE Home Care Services, since PACE providers are licensed as a Home Care agency. The enrollment sanction will be administered by the Department. CDPHE will issue its own corrective action plan and requirements via their authority through the PACE Home Care license. All three agencies will be partners in ensuring the health, safety and welfare of PACE members.

### **What is the role of the Colorado Department of Public Health & Environment (CDPHE) in the audit?**

CDPHE, at the request of the Department of Health Care Policy & Financing, performed an investigation into the InnovAge PACE program. Additionally, CDPHE investigated licensed home health agencies associated with InnovAge. Upon completion of those home health investigations, the findings will be on the [Health Facilities find and compare webpage](#).

### **Given the problems the Department found, why didn't the Department terminate InnovAge's contract?**

The Department believes the issues and concerns found can be remediated through a corrective action plan, if InnovAge properly and diligently responds to the audit findings, new enrollment sanctions and corrective action plan process.

### **How does this action impact someone who has already been accepted into the PACE program but has not yet begun receiving services?**



These sanctions will not impact members who have been accepted and enrolled into the PACE program as long as their applications have been signed by December 23, 2021, and their enrollment is effective on or before January 1, 2022.

**When does this action take effect and how long will it last?**

The sanction is effective December 23, 2021, and will remain in effect until InnovAge has demonstrated an increase in quality of care through the implementation of a corrective action plan and to the satisfaction of the Department and CMS, independently and in the aggregate.

**Can a PACE member request to move to another PACE provider besides InnovAge?**

If the member wishes to move to another PACE provider service area, then yes. However, there are no approved PACE providers within InnovAge's service area. Current members can still receive services from InnovAge. New members within the services area can access alternative long-term services and supports. The members may contact their [Case Management Agency](#) to determine what home and community-based services they are eligible for.

**If a PACE member has a complaint about their services from InnovAge, what should they do?**

If an individual wishes to file a complaint with the state or has any concerns regarding their service delivery, please contact the Department at [HCPF\\_PACE@state.co.us](mailto:HCPF_PACE@state.co.us). The individual may also contact their local [PACE Ombudsman](#).

