CABINET FOR HEALTH AND FAMILY SERVICES
DEPARTMENT FOR MEDICAID SERVICES

even L. Beshear
overnor

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Audrey Tayse Haynes
Secretary

Lawrence Kissner
Commissioner

May 27, 2014

Jennifer Coleman
Humana CareSource Health Plan
101 South 5th Street
Louisville, KY 40202

Re: HCS2014UM-1

Dear Ms. Coleman,

Please accept this correspondence as notification from the Commonwealth of Kentucky, Department for Medicaid Services ("Department") that Humana HealthSource Health Plan (Humana), is not in substantial compliance with certain material provisions of the Managed Care Contract ("Contract") between the Commonwealth of Kentucky and Humana Health Plan, Inc., d/b/a Humana CareSource Health Plan. Pursuant to Section 39.4 of the Contract, Humana shall submit to the Department a Corrective Action Plan within ten (10) business days following the date of this notification delineating the time and manner in which each deficiency cited below is to be corrected.

Identifying #	Contract Sections	DEFICIENCY
HCS2014UM-1	25.2(G) – Marketing Rules	No materials shall contain any assertion or statement (whether written or oral) that CMS, the federal government, the Commonwealth, or any other similar entity endorses the Contractor.

In response to a complaint received by the Department, on April 25, 2014, I visited the offices of the Senior Center and Community Action of Southern Kentucky, located at 117A Mayfield Plaza, Glasgow KY. The complaint was in reference to a sign on the Center's bus that appeared to endorse Humana. Upon arrival, I observed the Center's bus in the parking lot. The bus has a state license plate and on the side of the bus was a sign with the message "NO COPAYS" along with the Humana CareSource logo. Because the Center's office was closed, I

left a message asking that the sign be removed. On May 6, 2014, I contacted Barbra Erwin at the Center, who assured me the sign was no longer on the van.

Although the message on the sign has been approved by the Department, placing it on a vehicle displaying a state license plate gives the impression that the Commonwealth endorses the message. This is a clear violation, and therefore, I am issuing a **Cease and Desist Order** that Humana immediately remove any and all advertising and signs from any and all vehicles that belong to or carry Commonwealth of Kentucky license plates. I am also asking that Humana submit a Corrective Action Plan detailing how Humana will take steps to prevent a reoccurrence of this type of marketing.

Please note that this issue has been assigned a unique identifier. Include this number with any correspondence concerning this issue. Failure to do so will result in your submission being rejected. I look forward to receiving Humana's Corrective Action Plan and will be available for your questions throughout the process.

Sincerely,

Thomas McMahan
Senior Policy Advisor
Managed Care Oversight
Department for Medicaid Services

cc: Lawrence Kissner, Commissioner, Department of Medicaid Services
Lee A. Guice, Director of Policy and Operations, Department of Medicaid Services
Christina Heavrin, General Counsel, Cabinet for Health and Family Services
Elizabeth Justus, Managed Care Oversight, Department for Medicaid Services