

From: [Berry Winter, Lindsay](#)
To: "jennifer.bean@governor.virginia.gov"; "vanessa.walker.harris@governor.virginia.gov"; "corey.pleasants@governor.virginia.gov"; "daniel.carey@governor.virginia.gov"; "tammy.whitlock@dmas.virginia.gov"; "ellen.montz@dmas.virginia.gov"; "cheryl.roberts@dmas.virginia.gov"; [Allen, Sarah O.](#); [Jones, Sylvia C.](#); [Towell, Samuel T.](#)
Cc: [Randazzo, Andrew A.](#); [Ricketts, Jeff \(VA\)](#); [Reynolds, Jennie L.](#); [Wagner, Jay](#)
Subject: RE: Sentara Termination of Anthem Medicaid & Medicare Contract
Date: Tuesday, August 17, 2021 9:20:06 AM
Attachments: [image004.png](#)

Good morning. Yesterday, Sentara rescinded their terminations of Anthem Medicaid and Medicare contracts. While we are thankful that our members were not denied access to the monopoly hospital in the region, we do not think Medicaid and Medicare beneficiaries should be used as pawns by hospitals in contract negotiations- especially those hospitals who have ownership stakes in competitor health plans.

We continue to encourage the Office of the Attorney General to investigate the anticompetitive behavior of Sentara to leverage their monopoly status in their efforts to limit payor competition and hinder the ability for health plans like Anthem to act in the best interest of our members by effectively managing their care. We continue to contend that retaliatory action like terminating a contract over a site-of-service program is no different than forcing that health plan to agree to anti-steerage language in the provider agreement.

And, we encourage the Administration to pursue proactive legislative and MCO contractual remedies to avoid future anticompetitive behavior from hospitals who have an ownership stake in a state-contract-Medicaid MCO. This type of behavior is most certainly not in the best interest of Medicaid beneficiaries, the Medicaid program, or ultimately, the state budget. These remedies could include:

- 1. The Department reconsider its approval of the Virginia Premier acquisition by Sentara giving them majority ownership of two of the six contract MCOs. If rescinding approval is not permissible, the Department impose a rule similar to Florida's statute in which MCOs with the same parent company cannot participate in the same region due to the fact that they are not true competitors. If the Department requires legislative authority to enact, advance budget language for inclusion in the Governor's outgoing budget that disallows MCOs with the same majority owner to participate in the same Medicaid regions.*
- 2. The Department strengthen their related party arrangement to include provider reimbursement rates of all related parties to the Virginia Premier ownership structure, Sentara, VCUHS, Optima and Virginia Premier, as well as a better accounting of MLR for these related parties.*
- 3. The Department amends its contracts or puts forth language for inclusion in the Governor's outgoing budget that mandates that any hospital that has an ownership stake in a state-contracted-Medicaid Managed Care Organization must contract with all Managed Care Organizations selected to participate in the Virginia Medicaid Program by the Virginia Department of Medical Assistance Services at 100% of the Medicaid fee schedule or a rate range above the Medicaid fee schedule specified by the Department.*

4. *The Department amends its contracts or puts forth language for inclusion in the Governor's outgoing budget that mandates that any hospital that has an ownership stake in a state-contracted-Medicaid Managed Care Organization must contract with all affiliated Dual Eligible Special Needs Plans of Managed Care Organizations selected to participate in the Virginia Medicaid Program by the Virginia Department of Medical Assistance. The DSNP must also have a State Medicaid Agency Contract or MIPPA contract. The Department will determine the contracted rate.*

Thank you for your attention to this important matter. We stand ready to assist in any future efforts to address the concerns of not only Anthem but all payors and respective members who have been harmed by the actions of Sentara.

Respectfully, Lindsay

Anthem, Inc.

Lindsay Berry Winter, Senior Director, Government Relations

M: (757) 513-7810



From: Berry Winter, Lindsay

Sent: Wednesday, August 4, 2021 12:02 PM

To: jennifer.bean@governor.virginia.gov; vanessa.walker.harris@governor.virginia.gov; corey.pleasants@governor.virginia.gov; daniel.carey@governor.virginia.gov; tammy.whitlock@dmas.virginia.gov; ellen.montz@dmas.virginia.gov; cheryl.roberts@dmas.virginia.gov; Allen, Sarah O. <soallen@oag.state.va.us>; sjones@oag.state.va.us; stowell@oag.state.va.us

Cc: Randazzo, Andrew A. <Andrew.Randazzo@Anthem.com>; Ricketts, Jeff (VA) <Jeff.Ricketts@Anthem.com>; Reynolds, Jennie L. <jennie.reynolds@anthem.com>; Wagner, Jay <Jay.Wagner@anthem.com>

Subject: RE: Sentara Termination of Anthem Medicaid & Medicare Contract

Thank you for the opportunity to share our concerns regarding Sentara's termination of the Anthem Medicaid and Medicare contracts. We are happy to answer any follow up questions you might have.

We received a one-month extension to November 12 for the Medicare and Medicaid terminations. Anthem typically provides members 60 days' notice prior to the termination due to the significant complications with transitioning members to other providers and services while ensuring a seamless continuity of care. As such, member notices will go out approximately around September 12-13.

If appropriate, we would appreciate it if you would keep us apprised on any decisions related to

proposed next steps, and in particular, any remedies.

Jennifer, thank you again for your assistance in scheduling.

Best, Lindsay

Anthem, Inc.

Lindsay Berry Winter, *Senior Director, Government Relations*

M: (757) 513-7810



-----Original Appointment-----

From: jennifer.bean@governor.virginia.gov <jennifer.bean@governor.virginia.gov>
Sent: Tuesday, August 3, 2021 4:33 PM
To: jennifer.bean@governor.virginia.gov; vanessa.walker.harris@governor.virginia.gov; corey.pleasants@governor.virginia.gov; daniel.carey@governor.virginia.gov; Berry Winter, Lindsay; tammy.whitlock@dmas.virginia.gov; ellen.montz@dmas.virginia.gov; cheryl.roberts@dmas.virginia.gov; Randazzo, Andrew A.; Allen, Sarah O.; sjones@oag.state.va.us; Ricketts, Jeff (VA); Reynolds, Jennie L.; stowell@oag.state.va.us; Wagner, Jay
Subject: Sentara Termination of Anthem Medicaid & Medicare Contract
When: Wednesday, August 4, 2021 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where:

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This event has been changed.

Changed: Sentara Termination of Anthem Medicaid & Medicare Contract

When Wed Aug 4, 2021 9am – 10am Eastern Time - New York

Joining info Join with Google Meet
meet.google.com/bji-iwnq-qys

Join by phone
(US) [+1 484-531-2237](tel:+14845312237) (PIN: 895474409)

[More phone numbers](#)

Calendar lindsay.berry@anthem.com

- Who
- jennifer.bean@governor.virginia.gov - organizer
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[more details »](#)

7/29- waiting for confirmation that OAG's office can join (with Lindsay Berry)

Going (lindsay.berry@anthem.com)? **Yes - Maybe - No** [more options »](#)

Invitation from [Google Calendar](#)

You are receiving this courtesy email at the account lindsay.berry@anthem.com because you are an attendee of this event.

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Forwarding this invitation could allow any recipient to send a response to the organizer and be added to the guest list, or invite others regardless of their own invitation status, or to modify your RSVP. [Learn More](#).

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