

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

MODA HEALTH PLAN, INC.,	:	
	:	Judge Wheeler
Plaintiff,	:	
	:	Case No. 16-649C
v.	:	
	:	
THE UNITED STATES OF AMERICA,	:	
	:	
Defendant.	:	

JOINT STATUS REPORT

By Order of February 9, 2017 (ECF No. 23), the Court granted partial summary judgment to plaintiff, Moda Health Plan, Inc. (“Moda”), and asked the parties to submit a joint status report by March 1, 2017, indicating “the proposed steps and schedule for completing the resolution of this action.” Order of February 9 at 40. Given the order for partial summary judgment, the only remaining issue in this case is the amount of risk corridors payments not yet paid to Moda.

On November 19, 2015, the Centers for Medicare & Medicaid Services (“CMS”) announced the risk corridors payments and charges for each issuer for benefit year 2014 and the amount that an issuer, such as Moda, would receive from 2014 collections, assuming full collections. On November 18, 2016, CMS announced the Risk Corridors payments and charges for each issuer for benefit year 2015. In that announcement, CMS stated that the collections for the 2015 benefit year would be used first towards the remaining balances on the 2014 benefit year. CMS intends to use collections from the 2016 benefit year to pay remaining balances on the 2014 benefit year, and, if funds are available, to pay balances on the 2015 benefit year. To date, the following risk corridors payments to Moda are unpaid: \$75,879,282.72 for benefit year 2014 and \$133,951,163.07 for benefit year 2015, for a total of \$209,830,445.79.

This represents the total amount to which Moda is entitled under the Court's Order of February 9, 2017 and the Complaint. No further proceedings are necessary.

Dated: March 1, 2017

Respectfully submitted,

/s/ Steven J. Rosenbaum

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CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of March 2017, a copy of the foregoing, *Joint Status Report*, was filed electronically with the Court's Electronic Case Filing (ECF) system. I understand that notice of this filing will be sent to all parties by operation of the Court's ECF system.

/s/ Phillip M. Seligman
PHILLIP M. SELIGMAN
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