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December 20, 2019

Office of Management and Budget  
Office of Information and Regulatory Affairs  
Attention: CMS Desk Officer  
Email: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov)

**RE: CMS-10630 (OMB control number: 0938-1327)—Programs of All-Inclusive Care for the Elderly (PACE) 2020 Audit Protocol**

PACE Southeast Michigan appreciates the opportunity to respond to the Centers for Medicare & Medicaid Services' (CMS) request for comment on the PACE 2020 Audit Protocol materials released in connection with the 30-day notice published in the Federal Register on November 27, 2019.

Established in 1994, PACE Southeast Michigan has been caring for senior participants in southeast Michigan for 25 years. As the pioneer PACE program in Michigan, we are now the largest and fastest-growing PACE program in the state. We serve seniors in Wayne, Oakland, and Macomb Counties at six centers located in Detroit, Southfield, Warren (moving to Eastpointe), Dearborn, and Sterling Heights. A seventh center in Pontiac is currently under construction and should be ready to serve participants in the second quarter of 2020. As you can see, the need for PACE in our community is vast. We currently have a census of almost 1,200 participants. Our program has grown 25% percent over the three last years.

PACE Southeast Michigan is a member of the National PACE Association (NPA) and would like to express its support for NPA's comments on the PACE 2020 Audit Protocol. Rather than repeating them here in detail, we refer you to NPA's comment dated December 19, 2019. Briefly, we are supportive of NPA's comments that:

- (1) recognize and express appreciation for CMS' careful consideration of NPA's and others' comments in response to the 60-day notice on the PACE 2020 Audit Protocol materials;
- (2) request that auditors select overlapping samples of participants or staff in instances when multiple IAs are required of PACE organizations;

(3) request that CMS reconsider its use of the On-Site Observation Participant List to identify participants for on-site observation and, minimally, limit the number of participants for whom data are required; and

(4) request that CMS implement the audit protocol such that (a) auditors will exercise reasonable discretion in requiring Root Cause Analyses and Impact Analyses (IAs) rather than requiring them in virtually all instances of non-compliance observed in sample cases; and (b) steps will be taken to reduce, when possible, auditors' requests to upload documentation in HPMS. PACE Southeast Michigan requests that audit protocols for PACE be designed to pull reports from claims as is done in Medicare Advantage Plans as they do not have EMRs. Manual auditing must be performed for all IAs. Allow PACE programs the same amount of time the auditors are provided.

While PACE Southeast Michigan agrees with NPA's comments above, we go further on the following given our experience:

(1) request that CMS further reduce the scope of required IAs, particularly for larger PACE organizations for which data on fewer than 30% of participants or staff would give auditors a clear understanding of compliance issues. Our experience demonstrates that we were only able to complete a 30% audit in 10 business days with our large census. This required pulling seven clinicians from participant care to perform the Impact Analysis. Meeting a 50% audit review requires us to pull more clinicians from participant care putting their health at risk. Also, consider allowing more time to perform IAs for large organizations.

(2) CMS requires PACE to educate all contracted staff and facilities annually. We request that CMS educate PACE programs beyond the bulletins and manuals to ensure PACE programs understand the CMS interpretation of regulations. This will help achieve consistent, quality care across PACE programs.

We appreciate your consideration of our input. If you have any questions, please contact Laurie Arora, Director of Public Affairs and Philanthropy at [Laurie.Arora@pacesemi.org](mailto:Laurie.Arora@pacesemi.org) or 248-556-9199.

Sincerely,

A handwritten signature in cursive script that reads "Mary Kummer Naber".

Mary Kummer Naber  
President and CEO