

M. GALE LEMMON #4363  
Assistant Attorney General  
MARK L. SHURTLEFF #4666  
Attorney General  
Attorneys for Utah Insurance Department  
State Office Building, Room 3110  
Salt Lake City, UT 84114  
Telephone (801) 538-3872

RECEIVED  
MAR 11 2009  
UTAH STATE  
INSURANCE DEPT

**BEFORE THE INSURANCE COMMISSIONER  
OF THE STATE OF UTAH**

**COMPLAINANT:**

UTAH INSURANCE DEPARTMENT

**RESPONDENT:**

UNITED HEALTHCARE SERVICES, INC.  
2525 Lake Park Blvd.  
West Valley City, UT 84120  
License No. 5271

**STIPULATION  
&  
ORDER**

**Docket No.** 2009-036 HL

**Enf. Case No.** 2314

**STIPULATION**

1. Respondent, United HealthCare Services, Inc., is a licensed third party administrator in the State of Utah, holding License No. 5271.
2. Respondent stipulates with the Complainant, Utah Insurance Department, as follows:
  - a. If a hearing were held, witnesses called by the Complainant could offer and introduce evidence that would support the Findings of Fact herein;
  - b. Respondent admits the Findings of Fact and Conclusions made therefrom;
  - c. Respondent stipulates to the summary entry of the Order herein which shall be in lieu of other administrative proceedings by Complainant in this matter; and

d. Respondent and Complainant have negotiated the terms of the Order entered herein and Respondent agrees to its entry and further agrees to be bound by all its terms.

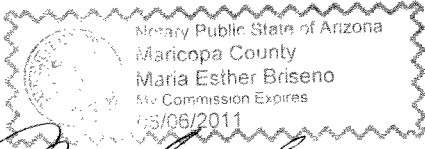
3. Respondent is aware of its right to a hearing at which it may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived its right to such hearing and to any appeal related thereto.


4. Respondent admits the jurisdiction of the State of Utah Insurance Commissioner as to all matters herein.

5. Respondent is acting herein free from any duress or coercion of any kind or nature, having been advised fully as to its rights set forth herein.

6. Respondent acknowledges that the issuance of this Order by the Commissioner is solely for the purpose of disposition of the matter entitled herein.

DATED this 9<sup>th</sup> day of March, 2009.

  
*Maria Esther Briseno*

  
UNITED HEALTHCARE SERVICES, INC.  
Curt Howell, Executive Director  
Benton Davis, CEO Western States

  
UTAH INSURANCE DEPARTMENT  
M. Gale Lemmon, Assistant Attorney General

Based upon the foregoing Stipulation and information in the file, the Presiding Officer makes the following Findings of Fact:

**FINDINGS OF FACT**

1. On or about July 9, 2008, the State of Florida took administrative action against the Respondent for failure to timely refund fees charged to members who cancelled their membership in Respondent's medical discount plan within the first 30 days of enrollment, assessing Respondent a penalty totaling \$4,000.00.

2. Respondent failed to notify the department of the Florida administrative action within 30 days of the final disposition of the administrative action.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters the following Conclusions of Law:

**CONCLUSIONS OF LAW**

1. In failing to notify the department of an administrative action taken against it by another state within 30 days of the final disposition of the administrative action, Respondent violated Utah Code Annotated § 31A-25-203(3).

Based upon the foregoing Stipulation, Findings of Fact and Conclusions of Law, the Presiding Officer herewith enters the following Order:

**ORDER**

IT IS HEREBY ORDERED:

1. Respondent is assessed an administrative forfeiture in the amount of \$750.00, to be paid within 30 days of the date of this Order.

**NOTIFICATION**

Respondent is hereby notified that failure to abide by the terms of this Order may subject it to further penalties, including additional forfeitures of up to \$5,000.00 per violation and the suspension or revocation of its license, and the filing of an action to enforce this Order in the District Court, which may impose penalties of up to \$10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

DATED this 16<sup>th</sup> day of March, 2009.

D. KENT MICHIE  
INSURANCE COMMISSIONER

  
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MARK E. KLEINFELD, Esq.  
Administrative Law Judge  
Utah Insurance Department  
State Office Building, Room 3110  
Salt Lake City, Utah 84114  
Telephone (801) 538-3800

CERTIFICATE OF MAILING

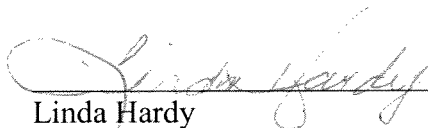
I do hereby certify that on this date I mailed, by regular mail, postage prepaid a true and correct copy of the attached:

STIPULATION  
&  
ORDER

To the following:

United Healthcare Services, Inc  
2525 Lake Park Blvd  
West Valley City, Utah 84120

DATED this 27<sup>th</sup> day of April, 2009.



\_\_\_\_\_  
Linda Hardy Court Clerk  
Utah Department of Insurance  
State Office Building, Room 3110  
Salt Lake City, UT 84114-6901

**UTAH**  
**Invoice - Original**

Printed Date: April 27, 2009  
 Invoice Date: April 27, 2009  
 Balance Due: \$750.00  
 Due Date: May 22, 2009  
 Invoice ID: 411206  
 NAIC ID: 95501  
 Payor ID: 1452

CURT HOWELL  
 UNITEDHEALTHCARE OF UTAH INC  
 2525 LAKE PARK BLVD  
 SALT LAKE CITY UT 84120

<b>Item Description</b>	<b>Amount</b>
4/27/2009 Monetary Penalty Company	\$750.00
E-Case 2314 Docket 2009-HL	
<b>Original Amount Due</b>	<u>\$750.00</u>

**UTAH**  
**Invoice - Original**

Invoice Date: April 27, 2009  
 Balance Due: \$750.00  
 Due Date: May 22, 2009  
 Invoice ID: 411206  
 Payor ID: 1452  
 Payor Name: UNITEDHEALTHCAR  
 E OF UTAH INC

Make checks payable to: Utah Insurance Department

Send payment to:

Utah Insurance Department  
 3110 State Office Building  
 Salt Lake City, UT 84114-6901