

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

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

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

MEDE AMERICA CORPORATION
C/O JENNY TURNER
2045 MIDWAY DRIVE
TWINSBURG, OHIO 44087

LICENSE No. 249953

**NOTICE OF INFORMAL
ADJUDICATIVE PROCEEDING
AND ORDER**

DOCKET No. 2009 16 HL
Enf. Case No. 2595

The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Ann. §§ 31A-2-201 and 63G-4-201 and Utah Admin. Code R590-160.

Based upon information contained in agency files or known to the Commissioner, the Commissioner makes the following:

FINDINGS OF FACT

1. Respondent is a licensed third party administrator authorized to administer insurance claims in the State of Utah holding license number 249953.
2. Respondent failed to properly file the 2009 Third Party Administrator Survey as required by a 1st Notice letter dated August 26, 2009, to file the survey on or before September 9, 2009.
3. Respondent was required, by a 2nd Notice letter dated September 23, 2009, to file the 2009 Third Party Administrator Survey on or before October 12, 2009.
4. Respondent was required, by a Final Notice letter dated October 22, 2009, to file the 2009 Third Party Administrator Survey on or before November 9, 2009.
5. Respondent was given an extension and required, by a telephone and email communication, to file the 2009 Third Party Administrator Survey on or before December 15, 2009.
6. As of the date of this Notice of Informal Adjudicative Proceeding and Order, no response has been received and the time for response and any extensions granted has expired.

Having entered his Findings of Fact, the Commissioner now enters his:

CONCLUSION OF LAW

1. In failing to submit a timely response to an inquiry from the Commissioner, the Respondent violated Utah Code Annotated 31A-2-202(4).

Based upon the foregoing Findings of Fact and Conclusions of Law, the Commissioner now enters the following:

ORDER

IT IS HEREBY ORDERED:

1. Respondent shall pay an administrative forfeiture in the amount of \$750.00. Said forfeiture shall be paid no later than ten (10) days after the date this Order becomes final.

2. Respondent shall provide a substantive response to the Commissioner's inquiries to be received in the offices of the Utah Insurance Department no later than by the date this Order becomes final.

3. This Order shall become final fifteen (15) days after the date of mailing unless a written request for a hearing is received from the Respondent in the offices of the department prior to that date. A written request for a hearing shall be signed by the person making the request and shall state the basis for the relief requested.

NOTIFICATION

If you request a hearing regarding this matter, the department will be represented by M. Gale Lemmon, Assistant Attorney General, State Office Building, Room 3110, Salt Lake City, Utah 84114, Telephone Number (801) 538-3872. Failure to request a hearing will be considered a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

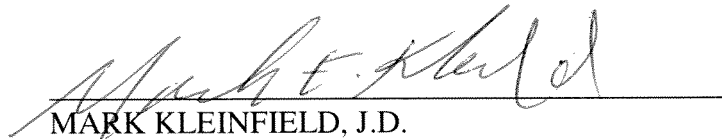
You are further notified that a failure to obey an Order of the commissioner may subject you to further penalties, including forfeitures of up to \$5,000.00 per violation and the suspension or revocation of your license and the filing of an action to enforce this Order in District Court, which may impose forfeitures 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.

**Questions regarding this Adjudicative Proceeding should be directed to Brent
Oscarson, at the Utah Insurance Department (801) 538-3195.**

DATED THIS 21st day of December, 2009.

D. KENT MICHIE
INSURANCE COMMISSIONER



MARK KLEINFELD, J.D.

ADMINISTRATIVE LAW JUDGE
Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, Utah 84114
Telephone (801) 538-3800



State of Utah

INSURANCE DEPARTMENT

D. Kent Michie
Commissioner

Gary R. Herbert
Governor

Gregory S. Bell
Lieutenant Governor

August 26, 2009

MEDE AMERICA CORPORATION
2045 MIDWAY DRIVE
TWINSBURG OH 44087

1st Notice

**RE: UTAH ADMINISTRATIVE CODE RULE R428-15 AND
UTAH THIRD PARTY ADMINISTRATOR SURVEY**

Utah Administrative Code (U.A.C.) Rule R428-15

The Cost and Quality Data Project (House Bill 9), passed by the Utah Legislature in 2007, directed the Utah Health Data Committee (HDC) to create an advisory panel to study issues related to the development of an all payer database (APD) that would assist in the analysis of a variety of health care data in Utah. Over a nine-month period (August 07-May 08), a diverse panel of stakeholders developed a draft health data plan for this project. The plan, as outlined by the bill itself, addressed the necessity of an all payer all provider database, how it would be compiled, and how and by whom it would be used. On July 8, 2008, the HDC unanimously approved the plan at its quarterly meeting held in Salt Lake City. Funding for the APD was provided via House Bill 133, Health Care Reform, 2008. The Utah Department of Health, Office of Health Care Statistics is currently responsible for building and managing the APD. The administrative rule relating to the Utah All Payer Database has been filed and is available for public comment.

The rule as presented for public comment can be found at:
<http://www.rules.utah.gov/publicat/opencomment.htm>

After the 30 day review the finalized rule will be found at (under the 'Health' heading):
<http://www.rules.utah.gov/publicat/code.htm#Health>

For your reference:

Filing No. 32858

Ref. No.: R428-15

Title: Health Data Authority Health Insurance Claims Reporting Rule

Department: Health

Agency: Center for Health Data, Health Care Statistics

Please Note: U.A.C. Rule R428-15 contains definitions and reporting requirements that may apply to your firm. These definitions and reporting requirements include but are not limited to:

- * Commercial insurance companies,**
- * Businesses under an administrative services organization or administrative services contract arrangement**
- * Third party administrators**
- * Governmental plans**
- * Licensed professional employer organizations acting as administrators for a health care insurance policy or health benefit plan funded by a self-insurance arrangement**
- * Non-electing church plan**

Please review the entire contents of U.A.C. Rule R428-15 to verify applicability.

Additional information about the Utah APD, as well as the technical specification and submission manual, are available to payers who register at: <http://health.utah.gov/hda/apd/>

Utah Third Party Administrator Survey

In order to meet the regulatory requirements of Utah Code Annotated (U.C.A.) § 31A-25-205, U.A.C. Rule R428-15, and assist the Utah Insurance Department in its regulatory responsibilities, the Utah Insurance Department has created a new survey reporting requirement for third party administrators.

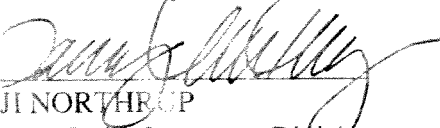
All licensed third party administrators operating in Utah are required to obtain and complete this new survey. The survey is now available from the Utah Insurance Department's website at: <http://www.insurance.utah.gov/other2/TPASurvey.html>.

Your company has been identified as being a licensed third party administrator operating in Utah. As such, your company is required by the commissioner to obtain, complete, and file the *2009 Utah Third Party Administrator Survey* **by no later than September 9, 2009.**

The survey form and signature form should be submitted electronically via email in Microsoft Excel format and Adobe pdf format. Paper or fax submissions will not be accepted. Send the completed survey and signature forms via email to Brent Oscarson at boscarson@utah.gov.

Failure to respond to this request will subject your company to the enforcement penalties under U.C.A. § 31A-2-308. Those penalties include monetary forfeitures and/or other sanctions. If you have any questions regarding this notice, please contact Brent Oscarson via telephone at 801-538-3195 or via email at boscarson@utah.gov.

D. KENT MICHIE, Commissioner


TANJI NORTHRUP
Director, Health Insurance Division



State of Utah

GARY R. HERBERT
Governor

GREG BELL
Lieutenant Governor

D. KENT MICHIE
Insurance Commissioner

Utah Insurance Department

September 23, 2009

MEDE AMERICA CORPORATION
2045 MIDWAY DRIVE
TWINSBURG OH 44087

2nd Notice

**RE: UTAH ADMINISTRATIVE CODE RULE R428-15 AND
UTAH THIRD PARTY ADMINISTRATOR SURVEY**

Utah Administrative Code (U.A.C.) Rule R428-15

The Cost and Quality Data Project (House Bill 9), passed by the Utah Legislature in 2007, directed the Utah Health Data Committee (HDC) to create an advisory panel to study issues related to the development of an all payer database (APD) that would assist in the analysis of a variety of health care data in Utah. Over a nine-month period (August 07-May 08), a diverse panel of stakeholders developed a draft health data plan for this project. The plan, as outlined by the bill itself, addressed the necessity of an all payer all provider database, how it would be compiled, and how and by whom it would be used. On July 8, 2008, the HDC unanimously approved the plan at its quarterly meeting held in Salt Lake City. Funding for the APD was provided via House Bill 133, Health Care Reform, 2008. The Utah Department of Health, Office of Health Care Statistics is currently responsible for building and managing the APD. The administrative rule relating to the Utah All Payer Database has been filed and is available at (under the 'Health' heading): <http://www.rules.utah.gov/publicat/code.htm#Health>

For your reference:

Filing No. 32858

Ref. No.: R428-15

Title: Health Data Authority Health Insurance Claims Reporting Rule

Department: Health

Agency: Center for Health Data, Health Care Statistics

(continued on back page)

Please Note: U.A.C. Rule R428-15 contains definitions and reporting requirements that may apply to your firm. These definitions and reporting requirements include but are not limited to:

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- * **Licensed professional employer organizations acting as administrators for a health care insurance policy or health benefit plan funded by a self-insurance arrangement**
- * **Non-electing church plan**

Please review the entire contents of U.A.C. Rule R428-15 to verify applicability. Additional information about the Utah APD, as well as the technical specification and submission manual, are available to payers who register at: <http://health.utah.gov/hda/apd/>

Utah Third Party Administrator Survey

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Your company has been identified as being a licensed third party administrator operating in Utah. As such, your company is required by the commissioner to obtain, complete, and file the *2009 Utah Third Party Administrator Survey* **by no later than October 12, 2009.**

The survey form and signature form should be submitted electronically via email in Microsoft Excel format and Adobe pdf format. Paper or fax submissions will not be accepted. Send the completed survey and signature forms via email to Brent Oscarson at boscarson@utah.gov.

Failure to respond to this request will subject your company to the enforcement penalties under U.C.A. § 31A-2-308. Those penalties include monetary forfeitures and/or other sanctions. If you have any questions regarding this notice, please contact Brent Oscarson via telephone at 801-538-3195 or via email at boscarson@utah.gov.

D. KENT MICHIE, Commissioner


TANJI NORTHRUP
Director, Health Insurance Division



State of Utah

GARY R. HERBERT
Governor

GREG BELL
Lieutenant Governor

D. KENT MICHIE
Insurance Commissioner

Utah Insurance Department

October 22, 2009

MEDE AMERICA CORPORATION
2045 MIDWAY DRIVE
TWINSBURG OH 44087

Final Notice

**RE: UTAH ADMINISTRATIVE CODE RULE R428-15 AND
UTAH THIRD PARTY ADMINISTRATOR SURVEY**

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For your reference:

Filing No. 32858

Ref. No.: R428-15

Title: Health Data Authority Health Insurance Claims Reporting Rule

Department: Health

Agency: Center for Health Data, Health Care Statistics

(continued on back page)

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Please review the entire contents of U.A.C. Rule R428-15 to verify applicability. Additional information about the Utah APD, as well as the technical specification and submission manual, are available to payers who register at: <http://health.utah.gov/hda/apd/>

Utah Third Party Administrator Survey

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D. KENT MICHIE, Commissioner


TANJI NORTHRUP
Director, Health Insurance Division

Brent Oscarson - Utah TPA Survey

From: Brent Oscarson
To: jturner@emdeon.com
Date: 12/3/2009 12:59 PM
Subject: Utah TPA Survey

Ms Turner:

As per our conversation I have sent out the 3 notices our department has mailed to you with no response. We must receive this information by December 13th, 2009. The instructions on how to fill out the survey and submit it are included in the notice.

Brent D. Oscarson
Rate Analyst
Dept. of Insurance
Health Insurance Division
Phone: 801-538-3195
Fax: 801-538-3829

**UTAH
Invoice**

Printed Date: December 21, 2009

Invoice Date: December 21, 2009
Balance Due: \$750.00
Due Date: January 15, 2010
Invoice ID: 441997

MEDE AMERICA CORPORATION
2045 MIDWAY DRIVE
TWINSBURG OH 44087

Item Description	Amount
Monetary Penalty Company	\$750.00
Original Amount Due	<u>\$750.00</u>

E-Case 2345 Debt 2009-166 HL

**UTAH
Invoice**

Printed Date: December 21, 2009

Invoice Date: December 21, 2009
Balance Due: \$750.00
Due Date: January 25, 2010
Invoice ID: 441997

Make checks payable to: Utah Insurance Department

Send payment to:

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

Detach and Return with Payment

CERTIFICATE OF MAILING

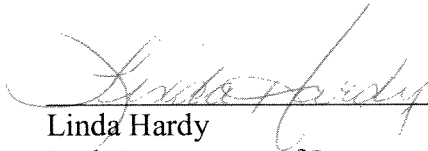
I do hereby certify that on this date I mailed, by regular mail, postage prepaid a true and correct copy of the attached:

NOTICE OF INFORMAL
ADJUDICATIVE PROCEEDING
AND ORDER

To the following:

*MEDE America Corporation
c/o Jenny Turner
2045 Midway Drive
Twinsberg, OH 44087*

DATED this 21st day of December 2008.



Linda Hardy

Court Clerk

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