

Utah Insurance Department
State Office Building, Rm 3110
Salt Lake City, UT 84114
Jeffrey Hawley, Research Analyst
Telephone: (801) 538-9684
Email: jhawley@utah.gov

COMPLAINANT,
UTAH INSURANCE DEPARTMENT

RESPONDENT,
National Health Insurance Company
Attn: Charlie Harris
P. O. Box 61999
Dallas, TX 75261-6199

Utah Company Id. No. 1131

**NOTICE OF INFORMAL
AGENCY ACTION
AND ORDER**

Docket No. 2016-086 HL

Enf. Case No. 3800
Judge Gregory Soderberg
Administrative Law Judge

The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Ann. § 31A-2-201, 31A-3-103 and 63G-4-201 and Utah Admin. Code R590-102. Based upon information contained in the Department's files or known to the Department, the presiding officer enters the following:

FINDINGS OF FACT

1. Respondent is a licensed insurer authorized to the business of insurance in the State of Utah holding Company Identification Number 1131.
2. Respondent failed to properly respond to a 1st Notice published on the Utah Insurance Department website dated January 1, 2016 to file the 2015 Utah Accident & Health Survey on or before April 1, 2016.
3. Respondent requested and was granted an extension to file the 2015 Utah Accident & Health Survey on or before April 15, 2016, but did not properly respond.

4. Respondent failed to properly respond to a 2nd Notice dated May 24, 2016 to file the 2015 Utah Accident & Health Survey on or before June 8, 2016, which was sent to Respondent`s following address on file with the Department: P.O. Box 16999, Dallas, TX 75261-6199.

5. Respondent failed to properly respond to a Final Notice dated June 14, 2016 to file the 2015 Utah Accident & Health Survey on or before June 24, 2016, which was sent to Respondent`s following address on file with the Department: P.O. Box 16999, Dallas, TX 75261-6199.

6. The Department contacted Respondent on June 15, 2016 by email using the email address on file. The Respondent contacted the Department on June 16, 2016 via telephone and said they would file the 2015 Utah Accident & Health Survey by June 24, 2016. No response was received.

7. The Department contacted Respondent on June 28, 2016 by telephone and left a message. No response has been received to this date.

8. As of the date of this Notice of Agency Action and Order, no response has been received and the time for response and any extensions granted have expired.

Having entered the Findings of Fact, the Presiding Officer now enters the following:

CONCLUSIONS OF LAW

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

Based on the Findings of Fact and the Conclusions of Law, the Presiding Officer now enters the following Order:


ORDER

IT IS HEREBY ORDERED:

1. Respondent is assessed an administrative forfeiture in the amount of \$750. Said forfeiture shall be paid to the Department 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 ten (10) days after 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.

DATED this 30th day of June, 2016.

TODD E. KISER
INSURANCE COMMISSIONER



GREGORY SODERBERG
Administrative Law Judge
Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, UT 84114
Telephone: (801) 538-3800

NOTIFICATION

If you request a hearing regarding this matter, please contact Jeffrey Hawley, Research Analyst. 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 \$2,500.00 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.