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

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<b>UTAH INSURANCE DEPARTMENT</b>	: <b>NOTICE OF AGENCY ACTION AND</b>
Complainant,	: <b>ORDER</b>
	:
	:
<b>CIGNA HEALTH &amp; LIFE INSURANCE</b>	: <b>Docket No. 2018-024 HL</b>
<b>COMPANY,</b>	: <b>Enf. Case No. 3976</b>
	:
	: Judge Lisa Watts Baskin
Respondent,	:
	: Presiding Officer
	:

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The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Ann. §§ 31A-2-201, 31A-2-308 and 63G-4-203 and Utah Admin. Code R590-160. Based upon information contained in the agency files or known to the Commissioner, the Commissioner enters the following:

**FINDINGS OF FACT**

1. Respondent is an insurer domiciled in the State of Connecticut and authorized to do the business of insurance in the State of Utah, Utah Company Identification No. 918.
2. Respondent failed to properly respond to a 1<sup>st</sup> Notice dated February 1, 2018 to file the 2018 Utah Open Enrollment Survey on or before February 23, 2018, which was sent to Respondent`s address on file.
3. Respondent requested an extension to file the 2018 Utah Open Enrollment Survey on

or before April 1, 2018 via email on February 9, 2018, which was not granted. The Respondent was sent an alternative way to file by using data as of December 31, 2017 instead of data as of January 1, 2018. No response has been received.

4. Respondent failed to properly respond to a Final Notice dated February 26, 2018 to file the 2018 Utah Open Enrollment Survey on or before March 5, 2018, which was sent to Respondent`s address on file.

5. 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 file the 2018 Utah Open Enrollment Survey per the instructions via the Utah Insurance Department secure upload site no later than ten (10) days after the date this Order becomes final.

3. Pursuant to Utah Code § 63G-4-203(1) and Utah Admin. Code R590-160-7(1), this informal adjudicative proceeding shall be deemed closed, **and this Order shall become final and take full effect, 15 days after this Notice of Agency Action and Order is electronically mailed to Respondent unless a request for hearing on this matter is received from Respondent prior to that date.**

4. A request for hearing shall be sent by electronic mail to [uidadmincases@utah.gov](mailto:uidadmincases@utah.gov) or by U. S. mail to the Utah Insurance Department, 3110 State Office Building, Salt Lake City, UT 84114. The request for hearing shall be signed by the person making the request and shall state the basis for the relief requested.

DATED this 7<sup>th</sup> day of March, 2018.

TODD E. KISER  
INSURANCE COMMISSIONER



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LISA WATTS BASKIN  
Presiding Officer  
Utah Insurance Department  
State Office Building, Room 3110  
Salt Lake City, UT 84114  
Telephone: (801) 538-3800

**NOTICE REGARDING ENFORCEMENT OF THE ORDER**

Failure to obey the Order may subject you to further penalties that include forfeitures of up to \$2,500.00 per violation, license suspension or revocation, further enforcement action before the Utah District Court where forfeitures of up to \$10,000.00 may be imposed. If you are licensed in other jurisdictions, you may be required to report this proceeding to those jurisdictions.

## DECLARATION

Under criminal penalty of Utah law, I, Jeffrey Hawley, declare the following:

1. I am currently employed as a Research Analyst with the Utah Insurance Department where my responsibilities include receiving reports and enforcing their receipt in a timely manner.

2. I submit this Declaration as the basis for issuing the Notice of Agency Action and Order to which this Declaration is attached.

3. Based on my personal knowledge, and based on the facts appearing in the Department's records and files, the following facts are true:

A. Respondent is an insurer domiciled in the State of Connecticut and licensed in the State of Utah and authorized to do business of insurance in the State of Utah. The company identification number is 918.

B. Respondent failed to properly respond to a 1<sup>st</sup> Notice dated February 1, 2018 to file the 2018 Utah Open Enrollment Survey on or before February 23, 2018, which was sent to Respondent's address on file.

C. Respondent requested an extension to file the 2018 Utah Open Enrollment Survey on or before April 1, 2018 via email on February 9, 2018, which was not granted. The Respondent was sent an alternative way to file by using data as of December 31, 2017 instead of data as of January 1, 2018. No response has been received.

D. Respondent failed to properly respond to a Final Notice dated February 26, 2018 to file the 2018 Utah Open Enrollment Survey on or before March 5, 2018, which was sent to Respondent's address on file.

E. As of the date of this Declaration, no response has been received and the time for response and any extensions granted have expired.

DATED THIS 6<sup>TH</sup> day of MARCH 2018.

Jeffrey E. Hamby

Utah Insurance Department