
BEFORE THE UTAH INSURANCE COMMISSIONER

UTAH INSURANCE DEPARTMENT,

Complainant,

vs.

UNITEDHEALTHCARE INSURANCE
COMPANY,

ATTN: LORI WOOD,
2717 N 118TH ST STE 300,
OMAHA, NE 68164-9684
LORI_WOOD@UHC.COM

Respondent.

NOTICE OF AGENCY ACTION AND
ORDER

Docket No. 2018-4003

Lisa Watts Baskin
Presiding Officer

NOTICE OF AGENCY ACTION

The Utah Insurance Department (“the Department”) commences this agency action against UnitedHealthcare Insurance Company (“Respondent”) pursuant to Utah Code §§ 31A-2-201 and 63G-4-201 through 203 and to Utah Admin. Code R590-160.

This agency action is based on the facts and law set forth in the attached Declaration and is designated as an informal adjudicative proceeding pursuant to Utah Code § 63G-4-202(1) and Utah Admin Code R590-160-4 and 7.

ORDER

Based on the facts and the law set forth in the attached Declaration, and good cause appearing, the Utah Insurance Commissioner orders as follows:

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 2017 Utah Accident & Health 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.

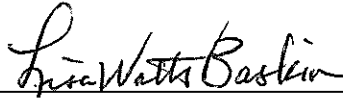
3. Pursuant to Utah Code § 63G-4-203(1)(i) and Utah Admin. Code R590-160-7(1), this informal adjudicative proceeding shall be deemed closed, and this Order shall become final and take full effect, 15 days after this Notice of Agency Action and Order is electronically mailed to Respondent unless a request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

4. A request for a hearing shall be sent by email to uidadmincases@utah.gov or by U.S. mail to Office of the Administrative Law Judge, 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.

5. If you fail to request a hearing you will be bound by this Order. Failure to request a hearing will be deemed a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

DATED this 27th day of June, 2018.

TODD E. KISER
Utah Insurance Commissioner



LISA WATTS BASKIN
Presiding Officer
Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114
801-538-3800
Email: uidadmincases@utah.gov

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 per violation, license suspension or revocation, further enforcement action before the Utah District Court where forfeitures of up to \$10,000 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 Research Analyst with the Utah Insurance Department where my responsibilities include investigating and enforcing Utah insurance laws.

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

3. Based on my personal knowledge and/or 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 Nebraska and licensed in the State of Utah and authorized to do business of insurance in the State of Utah. The company identification number is 843.

B. Respondent failed to properly respond to a 1st Notice to file the 2017 Utah Accident & Health Survey on or before April 1, 2018. This notice was published on the annual state filing checklist posted on Utah Insurance Department website on January 5, 2018.

C. Respondent failed to properly respond to a 2nd Notice dated May 4, 2018 to file the 2017 Utah Accident & Health Survey on or before May 25, 2018, which was sent to Respondent's address on file.

D. Respondent sent an email on May 4, 2018 stating that they received the 2nd Notice and would respond. No other response was received to the 2nd Notice.

E. Respondent failed to properly respond to a Final Notice dated May 31, 2018 to file the 2017 Utah Accident & Health Survey on or before June 13, 2018, which was sent to Respondent's address on file.

F. Respondent sent an email on June 1, 2018 stating that they received the Final Notice and would respond. No other response was received to the Final Notice.

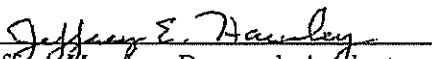
G. As of the date of this Declaration, no response has been received and the time for response and any extensions granted have expired.

4. The above declared facts demonstrate that the following Utah insurance law(s) were not complied with:

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

5. Based on Utah Code § 31A-2-308 and other similar enforcement cases, the proper forfeiture for the violation(s) should be \$750.

DATED this 19 day of June, 2018.


Jeffrey Hawley, Research Analyst
Utah Insurance Department