
BEFORE THE UTAH INSURANCE COMMISSIONER

UTAH INSURANCE DEPARTMENT,

Complainant,

vs.

EBIX HEALTH ADMINISTRATION
EXCHANGE, INC.

Respondent.

NOTICE OF AGENCY ACTION AND
ORDER

Docket No. 2018-4045

Lisa Watts Baskin
Presiding Officer

NOTICE OF AGENCY ACTION

The Utah Insurance Department (“the Department”) commences this agency action against Ebix Health Administration Exchange, Inc. (“Respondent”) pursuant to Utah Code §§ 31A-2-201 and 63G-4-201 through 203 and 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’s Non-Resident Third Party Administrator License No. 432470 should forfeit to the state the amount of \$1,500.
2. 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 emailed to Respondent unless a request for a hearing on this matter is received from Respondent prior to that date.

3. 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.

4. 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 3rd day of October, 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
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, Bill Stimpson, declare the following:

1. I am currently employed as a market conduct examiner with the Utah Insurance Department (“the 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 Ebix Health Administration Exchange, Inc. 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 a licensed Non-Resident Third Party Administrator authorized to do insurance business in the State of Utah. The Respondent’s licensee number is 432470.

b. On July 10, 2017, The Utah Insurance Department (“UID”) received a complaint (complaint number 69424) against the Respondent. The contact information in Sircon listed Kelly Manuel as the point of contact for complaints.

c. On July 13, 2017, the UID analyst submitted a request for An Explanation of Benefit Determination to Kelly Manuel.

d. On August 22, 2017, the UID analyst spoke with Kelly Manuel to check on the status of the complaint to discover Wendy Plummer was the contact for complaints. Kelly Manuel transferred the UID analyst, where a voice mail message was left. The UID analyst never received a return call.

e. On September 1, 2017, an Administrative Demand letter was sent to Ms. Plummer's email address, wendy.plummer@ihcgroup.com, requesting a response within 5 days of receipt of the request.

f. On September 11, 2017, a call to the IHC Group's customer service numbers were made in order to find a physical address, contact person and telephone number to obtain a status of the complaint. Customer service was unwilling to provide any contact information.

g. On January 15, 2018, the UID received a response from IHC Group's legal management, IHC Carrier Solutions, Inc., in regard to the complaint.

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

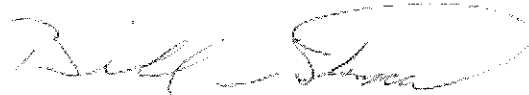
a. Respondent violated Utah Code § 31A-23a-412(1)(c), by failing to maintain current contact information.

b. Respondent violated Utah Code § 31A-2-202(4)(a), by failing to reply promptly in writing to a reasonable written inquiry from the Commissioner.

5. Failure to update your contact information in Sircon immediately may result in additional administrative action.

6. Based on the facts and law set forth above, Respondent should forfeit to the state the amount of \$1,500 within 30 days.

DATED this 27 day of September, 2018.

A handwritten signature in cursive script, appearing to read "Bill Stimpson", written over a horizontal line.

Bill Stimpson, Market Conduct Examiner
Utah Insurance Department