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BEFORE THE UTAH INSURANCE COMMISSIONER

<p>UTAH INSURANCE DEPARTMENT, Complainant, vs. UNITED HEALTHCARE INSURANCE COMPANY, Respondent.</p>	<p>NOTICE OF INFORMAL ADJUDICATIVE PROCEEDING AND ORDER</p> <p>Docket No. 2019-4189</p> <p>Lisa Watts Baskin Presiding Officer</p>
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NOTICE OF INFORMAL ADJUDICATIVE PROCEEDING

The Utah Insurance Department (“the Department”) commences this informal adjudicative proceeding against Respondent United Healthcare Insurance Company (“Respondent”), pursuant to Utah Code §§ 31A-2-201 and 63G-4-201 through -203, and Utah Admin. Code R590-160.

This informal adjudicative proceeding 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 -8.

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 shall forfeit to the Department the amount of \$750.00.

2. Pursuant to Utah Code § 63G-4-203(1)(i) and Utah Admin. Code R590-160-8(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 Informal Adjudicative Proceeding 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.

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 6th day of February, 2020.

TODD E. KISER
Utah Insurance Commissioner



LISA WATTS BASKIN
Presiding Officer
Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114
801-538-3860
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, and/or 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, Karen Maybury, declare the following:

1. I am currently employed as a Market Conduct Examiner with the Utah Insurance Department (“Department”) where my responsibilities include investigating and enforcing Utah insurance laws.

2. I submit this Declaration as the basis for issuing the Notice of Informal Adjudicative Proceeding and Order against United Healthcare Insurance Company (“Respondent”) 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 Connecticut and is authorized to do insurance business in the State of Utah. Respondent’s license number is 843.

b. On September 11, 2019, the Utah Insurance Department (the “Department”) notified Respondent, via letter, that the Department had received a consumer complaint concerning Respondent.

i. The consumer complaint accompanied the Department’s letter.

ii. The Department’s letter informed Respondent that it must provide a written response addressing each issue contained in the consumer complaint within ten days from the date of the letter, September 11, 2019.

c. Having received no response from Respondent within the ten-day period, the Department contacted Respondent, via letter, on October 1, 2019.

i. The Department's October 1st letter informed Respondent that the Department had not received Respondent's written response to the consumer complaint accompanying the Department's original letter dated September 11, 2019. The October 1st letter included a copy of the consumer complaint.

ii. The Department's October 1st letter informed Respondent that its written response to the consumer complaint must be received by the Department within five days from the date of the October 1st letter.

iii. The letter also informed Respondent that its failure to respond within the five-day time period may subject it to enforcement penalties, including monetary forfeitures.

d. On October 2, 2019, Respondent contacted the Department and requested an extension to submit its written response. The Department and Respondent agreed that Respondent's response would be due on or before October 9, 2019.

e. No other extensions of time were given to Respondent.

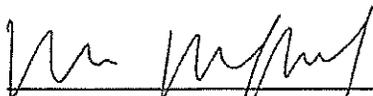
f. On October 22, 2019, the Department received Respondent's written response to the consumer complaint.

4. The above declared facts demonstrate that Respondent did not comply with the following provision of Utah law:

a. Utah Code § 31A-2-202(4)(a), failing to promptly respond in writing or in other designated form to a reasonable written inquiry from the Utah Insurance Commissioner.

5. Based on Utah Code § 31A-2-308 and other similar enforcement cases, the proper forfeiture amount for this violation is \$750.00.

Signed on this 30th day of January, 2020, at Salt Lake City, Utah.



Karen Maybury, Market Conduct Examiner
Utah Insurance Department