HELEN A. FROHLICH (8814)
Assistant Attorney General
DEREK E. BROWN (10476)
Attorney General
Attorneys for Utah Insurance Department
160 East 300 South, 5th Floor
P.O. Box 140874
Salt Lake City, Utah 84114-0874
Telephone: (801) 366-0375
Email: hfrohlich@agutah.gov

BEFORE THE UTAH INSURANCE COMMISSIONER

UTAH INSURANCE DEPARTMENT, Complainant, vs. REGENCE BLUECROSS BLUESHIELD OF UTAH, Respondent.	AMENDED FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER Docket No. 2025-4711 Donald H. Hansen Administrative Law Judge/Presiding Officer

Complainant, Utah Insurance Department ("Department") and Respondent, Regence BlueCross BlueShield of Utah (“Respondent”) have stipulated to entry of the following Findings of Fact, Conclusions of Law, and Order.

Based upon that stipulation, and good cause appearing, the Presiding Officer makes and enters the following:

FINDINGS OF FACT

1. Respondent is a non-profit health service organization domiciled in Utah. Respondent holds Utah license number 1324.

2. Respondent’s mailing address [redacted].

3. In August and September 2024, the Department’s health and life analysts sent requests

to Respondent for three separate independent reviews.

4. One of the reviews was expedited, and two were standard independent reviews.

5. The Department sent several emails to the Respondent regarding the reviews that went unanswered. Other emails from the Respondent provided incomplete or inaccurate information.

6. The Department made several unsuccessful attempts to contact the Respondent by phone and later learned that the Respondent had not updated its contact information with the Department.

7. The Department and Respondent have agreed to an administrative forfeiture of $9,000.00 against Respondent.

CONCLUSIONS OF LAW

1. The Utah Insurance Commissioner ("Commissioner") has jurisdiction over the parties and this adjudicative proceeding pursuant to Utah Code §§ 31A-1-105 and 31A-2-201.

2. The Commissioner has legal authority to impose penalties on the Department's licensees who violate the Utah Insurance Code pursuant to Utah Code § 31A-2-308.

3. Respondent violated Utah Code § 31A-2-202(4)(a), by failing to reply promptly in writing or in other designated form to a reasonable written inquiry from the commissioner.

4. Respondent violated Utah Code § 31A-2-202(6), by failing to provide information that was accurate and complete on three separate independent reviews.

5. Respondent violated Utah Admin. Rule R590-261-9(b), (c)(i)(iii)(A) by failing to inform the commissioner in writing and address the items in the letter for a standard independent review on two separate occasions.

6. Respondent violated Utah Admin. Rule R590-261-10(2)(b) by failing to immediately upon request inform the commissioner, in writing, of the outcome of the expedited independent

review.

7. As a penalty for the violations in this case, the Respondent should be ordered to pay a forfeiture of $9.000.00.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby Ordered that:

1. Respondent shall pay a forfeiture of $9,000.00 for the violations described in the Conclusions of Law. The forfeiture shall be paid in full to the Department no later than thirty (30) days after this order is signed.
2. Respondent is ordered not to commit the violations described in the Conclusions of Law in the future.

DATED this 11th day of February 2025.

JONATHAN T. PIKE
Utah Insurance Commissioner

/s/ Donald H. Hansen
Donald H. Hansen
Administrative Law Judge/Presiding Officer
Utah Insurance Department
4315 South 2700 West, Suite 2300
Taylorsville, UT 84129
801-957-9321
Email: uidadmincases@utah.gov

NOTICE TO RESPONDENT

Failure to obey this Order may subject you to further penalties that include a forfeiture of up to $5,000 per violation, with each day of the violation constituting a separate violation. Other penalties for failing to obey this Order may include license suspension, probation, refusal to renew, or revocation. Failure to obey this Order may also result in an action being taken against you in a court of competent jurisdiction where forfeitures of up to $10,000 for each day the failure to comply continues until judgment is rendered. If you are licensed in other jurisdictions, you may be required to report this proceeding in those jurisdictions.

CERTIFICATE OF SERVICE

The undersigned certifies that on this date a true and correct copy of the foregoing Findings of Fact, Conclusions of Law and Order was electronically mailed to:

Regence BlueCross BlueShield of Utah
[redacted]

and

Helen A. Frohlich
Assistant Attorney General
hfrohlich@agutah.gov

DATED this 11th day of February 2025.

/s/ Jeanine Couser
Jeanine Couser
Utah Insurance Department
4315 South 2700 West, Suite 2300
Taylorsville, UT 84129
801-957-9321