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BEFORE THE UTAH INSURANCE COMMISSIONER

UTAH INSURANCE DEPARTMENT, Complainant, vs. SELECTHEALTH INC., Respondent.	NOTICE OF AGENCY ACTION AND ORDER Docket No. 2025-4739 Donald H. Hansen Administrative Law Judge/Presiding Officer

NOTICE OF AGENCY ACTION

The Utah Insurance Department (the "Department") commences this agency action as an informal adjudicative proceeding against SelectHealth Inc., ("Respondent") pursuant to Utah Code §§ 31A-2-201 and 63G-4-201 through -203, and to Utah Admin. Code R.590-160.

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 R.590-160-4 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 shall forfeit to the Department the amount of $1,000.00.

2. The forfeiture shall be paid in full to the Department no later than 30 days after this order is signed.

3. Respondent shall update its plan identification cards to include the required "State Regulated" wording by May 1, 2025.

4. Plan identification cards issued on or after May 1, 2025, shall include the updated wording.

5. A copy of the updated plan identification card shall be provided to Karen Maybury by email at [redacted], no later than May 1, 2025.

6. Pursuant to Utah Code § 63G-4-203(1)(i) and Utah Admin. Code R.590-160-7(1), this informal adjudicative proceeding shall be 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.

7. A request for a hearing shall be in writing and sent by email to uidadmincases@utah.gov or by U.S. mail to Office of the Administrative Law Judge, Utah Insurance Department, 4315 S. 2700 W., Taylorsville, UT 84129.

8. The request for hearing shall be signed by the person making the request and shall state the basis for the relief requested.

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

DATED this 5th day of March 2025.

JONATHAN T. PIKE
Utah Insurance Commissioner

/s/ Donald H. Hansen
DONALD H. HANSEN
Administrative Law Judge/Presiding Officer
Utah Insurance Department
4315 S. 2700 W., Suite 2300
Taylorsville, UT 84129
Telephone: (801) 957-9321
Email: uidadmincases@utah.gov

NOTICE REGARDING ENFORCEMENT OF THE ORDER

Failure to obey the 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 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 Agency Action and Order against SelectHealth Inc., ("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 a Health Maintenance organization domiciled in Utah and authorized to do insurance business in Utah under Utah license number 1544.

b. Respondent holds accident and health lines of authority and markets a health benefit plan.

c. Pursuant to Utah Code § 31A-22-636(3) and Utah Admin. Code R.590-164-5(5), Respondent is required to include an indication on plan identification cards that the plan is state regulated.

d. Pursuant to the guidance offered in Utah Insurance Department Bulletin 2023-1(1) issued by Commissioner Jonathan T. Pike on February 9, 2023, all insurers offering health insurance, including dental and vision insurance, are expected to comply with Health Identification Card Standard v1.2 for all policies or certificates issued or renewed on or after July 1, 2023.

e. The Department completed an industry-wide review to determine compliance with the above requirements and found Respondent does not include the required "State Regulated" language on its plan identification cards.

4. The above declared facts demonstrate that Respondent violated Utah Code § 31A-22-636(3) and Utah Admin. Code R.590-164-5(5) by failing to indicate on its plan identification cards that the plan is state regulated.

5. Based on Utah Code § 31A-2-308 and other similar enforcement cases, the proper forfeiture for the violation(s) should be $1,000.00.

6. Respondent should be required to update its plan identification cards to include the required "State Regulated" wording by May 1, 2025.

Signed on this 26th day of February 2025 in Salt Lake City, Salt Lake County, State of Utah.

/s/ Karen Maybury
Karen Maybury, Market Conduct Examiner
Utah Insurance Department

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this date a true and correct copy of the foregoing Notice of Agency Action and Order, with the Declaration attached to it, was emailed to:

SelectHealth Inc.
[redacted]

and

Karen Maybury
[redacted]
Utah Insurance Department
4315 S. 2700 W., Suite 2300
Taylorsville, UT 84129

DATED this 5th day of March 2025.

/s/ Jeanine Couser
Jeanine Couser
Utah Insurance Department
4315 S. 2700 W., Suite 2300
Taylorsville, UT 84129
(801) 957-9321