

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION  
AT RICHMOND, OCTOBER 18, 2019

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PETITION OF

ANTHEM HEALTH PLANS OF VIRGINIA, INC.  
and  
HEALTHKEEPERS, INC.

CASE NO. INS-2019-00137

For Amendment of the Final Orders in  
Case Nos. INS-2002-00131 and INS-2007-00141  
to grant complete and final relief from all remaining  
geographic restrictions prohibiting Anthem from  
providing services and functions from  
locations outside Virginia

SCHEDULING ORDER

On October 3, 2019, Anthem Health Plans of Virginia, Inc. and HealthKeepers, Inc. (collectively, "Anthem" or "Petitioners"), filed a Petition pursuant to 5 VAC 5-20-100 B of the State Corporation Commission's ("Commission") Rules of Practice and Procedure ("Rules"), 5 VAC 5-20-10 *et seq.*, the Final Order entered in Case No. INS-2002-00131 ("2002 Final Order"), and the Final Order entered in Case No. INS-2007-00141 ("2007 Final Order").<sup>1</sup> The Petitioners request that the Commission provide complete relief from the restrictions outlined in the 2002 Final Order and 2007 Final Order.<sup>2</sup>

In the 2002 Final Order, the Commission required that Anthem cause certain specified services to be provided from offices located in the Commonwealth of Virginia ("Virginia") unless the Bureau of Insurance ("Bureau") gave its prior written approval that these services may

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<sup>1</sup> *Application of Anthem, Inc., and Trigon Healthcare, Inc.*, Case No. INS-2002-00131, 2002 S.C.C. Ann. Rept. 118, Final Order (July 19, 2002); *Petition of Anthem Health Plans of Virginia, Inc., et al., For Amendment of Final Order in Case No. INS-2002-00131*, Case No. INS-2007-00141, 2007 S.C.C. Ann. Rept. 114, Final Order (Aug. 9, 2007).

<sup>2</sup> See Petition at 8.

be provided outside of Virginia.<sup>3</sup> Those services were: claims processing and case management, customer service, actuarial, underwriting, marketing, quality management, community relations, distribution management, sales, provider services, medical management, and network development.<sup>4</sup>

In the 2007 Final Order, the Commission continued the requirement that Anthem cause the following services to be provided from offices located in Virginia: claims processing and case management, customer service, quality management, provider services, medical management, and network development.<sup>5</sup> In the 2007 Final Order, the Commission also provided that if Anthem sought to provide any of the aforementioned services currently required to be provided from offices located in Virginia from offices located outside of Virginia, it should file a petition with the Commission "setting forth a specific and detailed proposal for providing such services out of state, including specific and detailed information on *how* and *where* Anthem will provide such services, as well as safeguards for ensuring adequate levels of service."<sup>6</sup>

Since entry of the 2007 Final Order, Anthem contends that it petitioned the Commission numerous times seeking targeted relief from the restrictions of the 2002 Final Order and 2007 Final Order.<sup>7</sup> The current Petition seeks complete relief from all remaining restrictions of the 2002 Final Order and 2007 Final Order.<sup>8</sup>

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<sup>3</sup> 2002 Final Order, 2002 S.C.C. Ann. Rept. at 118.

<sup>4</sup> *Id.*

<sup>5</sup> 2007 Final Order, 2007 S.C.C. Ann. Rept. at 115-116.

<sup>6</sup> *Id.* at 116.

<sup>7</sup> Petition at 3, Exh. A.

<sup>8</sup> *Id.* at 1-2, 8.

Anthem represents that the Petition has been provided to the Office of the Attorney General's Division of Consumer Counsel and to the Medical Society of Virginia.<sup>9</sup> Anthem represents that the Medical Society of Virginia does not object to the Petition.<sup>10</sup>

NOW THE COMMISSION, having considered the Petition, finds that interested persons should be given an opportunity to comment on the Petition and participate in this case.

Accordingly, IT IS ORDERED THAT:

(1) This matter is docketed and assigned Case No. INS-2019-00137.

(2) On or before November 8, 2019, any person desiring to participate in these proceedings as a respondent shall file a notice of participation as a respondent, as required by Rule 5 VAC 5-20-80 B, and shall serve a copy on counsel to the Petitioners, Stephen D. Rosenthal, Esquire, Troutman Sanders LLP, 1001 Haxall Point, Richmond, Virginia 23219. If not filed electronically, an original and fifteen (15) copies of the notice of participation shall be filed with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. All notices of participation shall reference Case No. INS-2019-00137.

(3) On or before November 15, 2019, any person desiring to comment on the Petition shall file an original and fifteen (15) copies of such comments with the Clerk of the Commission at the address in Ordering Paragraph (2). Interested persons desiring to submit comments electronically may do so by following the instructions on the Commission's website: <http://www.scc.virginia.gov/case>. Any person filing comments or submitting comments

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<sup>9</sup> *Id.* at 10.

<sup>10</sup> *Id.* at 8.

electronically simultaneously shall serve a copy of such comments on counsel to the Petitioners at the address in Ordering Paragraph (2). All comments shall refer to Case No.

INS-2019-00137.

(4) On or before November 22, 2019, the Commission's Bureau of Insurance shall file a response to the Petition and shall serve a copy of such response on counsel to the Petitioners at the address in Ordering Paragraph (2).

(5) This matter is continued.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to:

Stephen D. Rosenthal, Esquire, Troutman Sanders LLP, 1001 Haxall Point, Richmond, Virginia 23219; C. Meade Browder, Jr., Senior Assistant Attorney General, Office of the Attorney General, Division of Consumer Counsel, 202 N. 9th Street, 8th Floor, Richmond, Virginia 23219-3424; and The Medical Society of Virginia, c/o W. Scott Johnson, Esquire, Hancock, Daniel, Johnson, P.C., 4701 Cox Road, Suite 400, Glen Allen, Virginia 23060; and a copy shall be delivered to the Commission's Office of General Counsel and the Bureau of Insurance.