

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

AT RICHMOND, MAY 12, 2021

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COMMONWEALTH OF VIRGINIA, *ex rel.*

STATE CORPORATION COMMISSION

v.

CASE NO. INS-2021-00040

UNITEDHEALTHCARE INSURANCE COMPANY,  
UNITEDHEALTHCARE OF THE MID-ATLANTIC, INC.,  
UNITEDHEALTHCARE PLAN OF THE RIVER VALLEY, INC.,  
MAMSI LIFE AND HEALTH INSURANCE COMPANY,  
Defendants

SETTLEMENT ORDER

Based on an investigation conducted by the Bureau of Insurance ("Bureau"), it is alleged that UnitedHealthcare Insurance Company, UnitedHealthcare of the Mid-Atlantic, Inc., UnitedHealthcare Plan of the River Valley, Inc., and MAMSI Life and Health Insurance Company (collectively, "Defendants"), duly licensed by the State Corporation Commission ("Commission") to transact the business of insurance in the Commonwealth of Virginia ("Virginia"), in certain instances violated § 38.2-3407.15 B 7 of the Code of Virginia ("Code") by failing to provide notice to a provider at least thirty (30) days in advance of any retroactive denial of a claim; and for taking action to reduce current or future claim payments beyond the earlier of the 12-month timeframe of the original claim payment or the number of days the Defendants require under their provider contracts that a claim be submitted by the provider following the date of service.

The Commission is authorized by §§ 38.2-218, 38.2-219, 38.2-1040 and 38.2-4316 of the Code to impose certain monetary penalties, issue cease and desist orders, and suspend or revoke a defendant's license upon a finding by the Commission, after notice and opportunity to be heard, that a defendant has committed the aforesaid alleged violation.

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The Defendants have been advised of the right to a hearing in this matter whereupon the Defendants, without admitting or denying any violation of Virginia law, have made an offer of settlement to the Commission wherein the Defendants have agreed to submit and implement requested written procedures as outlined in the Defendants' correspondence dated April 27, 2021; have tendered to the Treasurer of Virginia the sum of Fifty Thousand Dollars (\$50,000) for each of the Defendants for a total of Two Hundred Thousand Dollars (\$200,000); and have waived the right to a hearing.

The Bureau has recommended that the Commission accept the offer of settlement of the Defendants pursuant to the authority granted the Commission in § 12.1-15 of the Code.

NOW THE COMMISSION, having considered the record herein, the offer of settlement of the Defendants, and the recommendation of the Bureau, is of the opinion that the Defendants' offer should be accepted.

Accordingly, IT IS ORDERED THAT:

- (1) The offer of the Defendants in settlement of the matter set forth herein is hereby accepted.
- (2) This case is dismissed, and the papers herein shall be placed in the file for ended causes.

A COPY hereof shall be sent by the Clerk of the Commission by electronic mail to: John Morris, Sr., Associate General Counsel, UnitedHealthcare Insurance Company, at john\_f\_morris@uhc.com, 10 Cadillac Drive, Suite 200, Brentwood, Tennessee 37027-5078; and a copy shall be delivered to the Commission's Office of General Counsel and the Bureau of Insurance in care of Deputy Commissioner Julie Blauvelt.