

FINDINGS OF FACT

1. On or about November 3, 2021, CoreVisory, an Independent Review Organization (“IRO”), accepted assignment of Respondent’s external review.
2. On November 3, 2021, the Consumer Assistance Division of the Oklahoma Insurance Department (“OID”) e-mailed a letter to Respondent and to the IRO outlining that Respondent, within five (5) business days of receipt of the letter, must send its casefile to the IRO. The letter was e-mailed to Respondent’s Central Consumer Affairs at central_consumer_affairs@uhc.com, Respondent’s recorded business e-mail in the State Based System (“SBS”). The OID file number for this matter is #90573.
3. The fifth (5th) day after the date of the letter was November 8, 2021. Respondent failed to provide a response to the aforementioned letter on or before November 8, 2021.
4. On November 18, 2021, the IRO sent an e-mail to Respondent (Cc’d OID) requesting the status of the overdue medical records.
5. On November 19, 2021, the IRO sent an e-mail to Respondent (Cc’d OID) requesting the status of the overdue medical records.
6. On November 19, 2021, OID e-mailed Crystal Donnell, Respondent’s Manager of Regulatory Consumer Affairs, at crystal_donnell@uhc.com requesting the status of the overdue medical records.
7. On November 22, 2021, OID received a response from Crystal Donnell stating that her team was working on the external review package but did not have an estimated time of completion.
8. On November 22, 2021, OID sent Crystal Donnell a copy of the November 3, 2021 letter that was initially e-mailed to Respondent and to the IRO.

9. On the morning of November 23, 2021, OID received an e-mail from Crystal Donnell stating that the overdue medical records were sent to the IRO.

10. Pursuant to 36 O.S. §6475.8(E)(1), within five (5) business days after the date of receipt of receipt of notice, “...the health carrier or its designee utilization review organization shall provide to the assigned independent review organization the documents and any information considered in making the adverse determination or final adverse determination.”

11. Pursuant to 36 O.S. §619(A)(1), “[t]he Insurance Commissioner may after opportunity for a hearing refuse to renew, or may revoke or suspend an insurer's certificate of authority, in addition to other grounds in this Code, if the insurer: Violates any provision of this Code other than those as to which refusal, suspension, or revocation is mandatory.”

12. Pursuant to 36 O.S. §619(B), “[i]n addition to or in lieu of any applicable revocation or suspension of an insurer's certificate of authority, any insurer who knowingly and willfully violates this Code may be subject to a civil penalty of not more than Five Thousand Dollars (\$5,000.00) for each occurrence.”

CONCLUSION OF LAW

1. Respondent has violated 36 O.S. §6475.8(E)(1) by failing to furnish requested medical records to the IRO within five (5) business days after the of receipt of the notice provided.

ORDER

IT IS THEREFORE ORDERED that Respondent is hereby **CENSURED** and **FINED One Hundred Dollars (\$100.00)** for its violation. The fine is to be paid within thirty (30) days of the date of this Conditional Administrative Order and made payable to the Oklahoma Insurance Department. The fine shall be sent to the Oklahoma Insurance Department located at 400 NE 50th Street, Oklahoma City, Oklahoma 73105. Failure to comply with a proper order of the

Commissioner will result in further administrative action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless Respondent requests a hearing with respect to the Findings of Fact set forth above within thirty (30) days of the date of this Conditional Order, the penalties set forth above will become a Final Order on the thirty-first (31st) day following the date of mailing this Order. A request for hearing should be in writing and addressed to Andrea M. Golden, Oklahoma Insurance Department, Legal Division, 400 NE 50th Street, Oklahoma City, Oklahoma 73105. The request for hearing must state the grounds for the request to set aside or modify the Order and must be served on the Oklahoma Insurance Department within the 30 days allotted. The proceedings on such requested hearing will be conducted in accordance with the Oklahoma Insurance Code, *36 O.S. §§ 101 et seq.*, and the *Oklahoma Administrative Procedures Act, 75 O.S. §§ 250 through 324*. If Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order will act as a notice of the matters to be reviewed at the hearing and the Findings of Fact, Conclusions of Law, and penalties imposed in this Conditional Order shall be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 27th day of December 2021.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Andrea M. Golden
Assistant General Counsel
Oklahoma Insurance Department
400 NE 50th Street
Oklahoma City, Oklahoma, 73105
Tel. (405) 521-6695
Fax (405) 522-0125

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing *Conditional Order* was mailed by regular mail and by certified mail, with postage prepaid and return receipt requested, on this 27th day of December 2021, to:

UnitedHealthCare Insurance Company
4 Research Drive
Shelton, CT 06484

**CERTIFIED MAIL NO:
9214 8902 0982 7500 0430 98**

and a copy was delivered to:

Consumer Assistance Division



Andrea M. Golden
Assistant General Counsel



21-0627-01's
TMEZ

Date Produced: 01/03/2022

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0430 98. Our records indicate that this item was delivered on 12/30/2021 at 08:38 a.m. in SHELTON, CT 06484. The scanned image of the recipient information is provided below.

Signature of Recipient :

Signature	X <i>Russell Henry</i>
Printed Name	R. Henry

Address of Recipient :

Delivery Address	<i>[Faded]</i>
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Sincerely,
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