

**BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA**

FILED

OCT 10 2022

**INSURANCE COMMISSIONER
OKLAHOMA**

STATE OF OKLAHOMA, ex rel. GLEN)
MULREADY, Insurance Commissioner,)
)
Petitioner,)
)
v.)
)
COMMUNITYCARE HMO, INC., a licensed)
health maintenance organization)
in the State of Oklahoma,)
)
Respondent.)

Case No. 22-0611-DIS

**CONDITIONAL ADMINISTRATIVE ORDER
AND NOTICE OF RIGHT TO BE HEARD**

COMES NOW the State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner, by and through his attorney, Teresa L. Green, and alleges and states as follows:

JURISDICTION

1. Glen Mulready is the Insurance Commissioner of the State of Oklahoma and, as such, is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, *36 O.S. §§ 101 et seq.*, including *36 O.S. §§ 309.1 through 309.7*.

2. The Company is an Oklahoma domestic health maintenance organization authorized to transact the following lines of insurance business: accident & health or sickness. The Company operates in the State of Oklahoma pursuant to SBS Company Number 44196548 and NAIC Company Code number 11691.

FINDINGS OF FACT

3. On or about May 24, 2022, the Oklahoma Insurance Department issued Order Adopting Report of Examination which ordered Respondent to “file within thirty (30)

days...affidavits executed by each of its directors stating under oath that each director has received a copy of the adopted Report [of Financial Examination] and the related Order.”

4. On or about July 28, 2022, the Oklahoma Insurance Department received the Respondent’s affidavits.

5. Pursuant to *36 O.S. § 309.4(D)(1)*, the company shall file affidavits executed by each of its directors stating under oath that they have received a copy of the adopted report and related orders within thirty (30) days of the issuance of the adopted report.

6. The Insurance Commissioner may fine any insurer who knowingly and willfully violates the Oklahoma Insurance Code with a civil penalty of not more than \$5,000.00 for each occurrence. *See 36 O.S. § 619(B)*.

CONCLUSIONS OF LAW

6. Respondent violated *36 O.S. § 309.4(D)(1)* by not filing affidavits executed by each of its directors stating under oath that they have received a copy of the adopted report and related orders within thirty (30) days of the issuance of the adopted report when the affidavits were received on July 28, 2022 and the order was issued on May 24, 2022.

ORDER

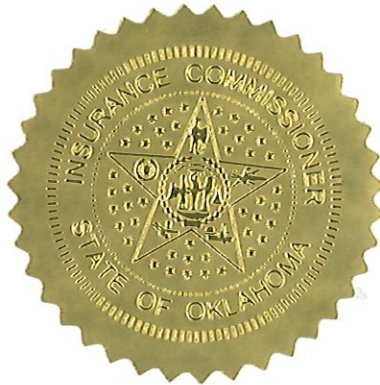
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner, subject to the following paragraph, that the Respondent violated *36 O.S. § 309.4(D)(1)* and as a result **Respondent is FINED** in the amount of **ONE HUNDRED DOLLARS (\$100.00)**. **The Fine is to be paid within thirty (30) days of receipt of this Order.**

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless the Respondent requests a hearing with respect to the Findings of Fact set forth above within thirty (30) days of the date of mailing of this Order, this Order and the penalties set forth above will become a Final Order on the thirty-first

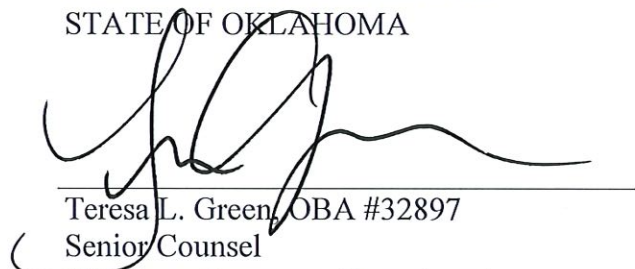
(31st) day following the date of mailing this Order. A request for hearing should be in writing addressed to Teresa L. Green, Oklahoma Insurance Department, Legal Division, 400 N.E. 50th Street, Oklahoma City, Oklahoma 73105. The request for hearing must state the grounds for the request to set aside or modify the Order.

Any such hearing will be conducted according to the procedures for contested cases under the Insurance Code and 75 O.S. § 250-323. If the Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order will act as 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 will be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 10th day of October, 2022.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA



Teresa L. Green, OBA #32897
Senior Counsel
Oklahoma Insurance Department
400 N.E. 50th St.
Oklahoma City, OK 73105
Telephone: (405) 521-6654
Facsimile: (405) 522-0125

CERTIFICATE OF MAILING

I, Teresa L. Green, hereby certify that a true and correct copy of the above foregoing *Conditional Administrative Order and Notice of Right to be Heard* was mailed by certified mail, with postage prepaid and return receipt requested, on this 11th day of October, 2022 to:

CommunityCare HMO, Inc.
218 W. 6th St.
Tulsa, OK 74119-1004

CERTIFIED MAIL NO. 9214 8902 0982 7500 0495 95

and that a copy was delivered to:

Financial Division



Teresa L. Green

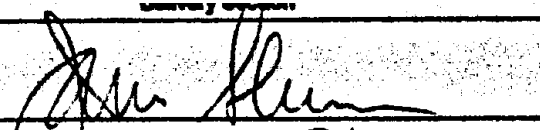


Date Produced: 10/17/2022

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0495 95. Our records indicate that this item was delivered on 10/13/2022 at 06:04 a.m. in TULSA, OK 74103. The scanned image of the recipient information is provided below.

Signature of Recipient :

Signature	
Printed Name	James Skelton

Address of Recipient :

Delivery Address	PO BOX 3249
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Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

COMMUNITYCARE HMO, INC.
218 W. 6TH ST.
TULSA, OK 74119-1004

Customer Reference Number: C3738549.22228328
Return Reference Number SMS/22-0611-DIS (TLG)/Cond Ord



Return address:

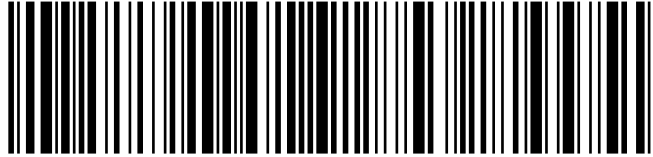
OKLAHOMA INSURANCE DEPARTMENT
5 CORPORATE PLAZA
OKLAHOMA CITY, OK 73112

Recipient address:

COMMUNITYCARE HMO, INC.
218 W. 6TH ST.
TULSA, OK 74119-1004

MAILING DATE: 10/11/2022
DELIVERY DATE: 10/13/2022

USPS CERTIFIED MAIL



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USPS Tracking Label Number: 9214 8902 0982 7500 0495 95

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DEPARTED USPS REGIONAL FACILITY	TULSA OK DISTRIBUTION CENTER 74141	10/12/2022 21:00
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DELIVERED	TULSA,OK 74103	10/13/2022 06:04

CASE NUMBER: 22-0611-DIS

DEPARTMENT: LEGAL/TLG

SENDER: SMS

CUSTOM 4: CONDITIONAL ADMINISTRATIVE ORDER & NOTICE OF RIGHT TO BE HEARD