

**STATE OF NEW HAMPSHIRE
INSURANCE DEPARTMENT**

Docket No.: INS No. 22-023-EP

CONSENT ORDER

This Consent Order is made between the New Hampshire Insurance Department (“NHID”) and UnitedHealthcare Insurance Company (“Respondent”), the terms of which are as follows:

FINDINGS OF FACTS

1. The Respondent is an insurance company with a NAIC company code of 79413, a business address of 185 Asylum Street, Hartford, CT 06103, is licensed as a health insurer, and is authorized to write health insurance business in New Hampshire.

2. Pursuant to NH RSA 420-G:11, II, health carriers are required to provide the NHID encrypted claims data in accordance with the rules enumerated under NH INS 4000.

3. In 2022, the NHID asserted that though Respondent was providing encrypted claims data, that data was insufficient. More specifically, the NHID asserted that Respondent’s practices of randomly assigning service line numbers, its use of claims status code = ‘22’ on adjustments that were not full reversals of a claim service line, and its re-use of claim numbers for different consumers were not in compliance with NH law.

4. Since May 2022, Respondent has worked cooperatively with the NHID and has spent considerable time and expense to amend its claims data processes to resolve the NHID’s concerns and to submit claims data in the form requested by NHID.

5. After a thorough review, NHID finds Respondent’s current reporting processes and submissions adequate to meet the requirements of NH RSA 420-G:11 and NH INS 4000.

6. As of the execution of this consent order, Respondent is up to date with its filing of claims data to the NHID.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact and the applicable provision of law, the NHID concludes and finds the following Conclusions of Law:

- a. The Respondent is subject to the jurisdiction of the NHID; and
- b. Respondent's actions were at times inconsistent with N.H. RSA 420-G:11.

ORDER

WHEREFORE, the NHID orders and Respondent consents to the following:

- a. The Respondent waives all rights to a formal administrative hearing in this matter and agrees that this Consent Order shall have the full force and effect of an Order fully entered in accordance with the adjudicatory procedure provided for in RSA Chapter 541-A and Ins Part 200.
- b. For the purposes of resolving this matter without a formal administrative hearing, and without admitting fault or any violation of New Hampshire insurance laws, rules, and/or regulations, the Respondent agrees to submit its claims data in a manner that addresses the issues raised in this proceeding, and which is expected to be substantially similar to its current claims data submissions as of the date of this consent decree.
- c. Respondent also agrees to pay an administrative penalty of \$10,000, due upon execution of this consent order, made payable to "Treasurer, State of New Hampshire", and mailed to the attention of Sarah Prescott, New Hampshire Insurance Department, 21 South Fruit Street, Suite 14, Concord, NH 03301.

- d. In the event that Respondent fails to meet any of the terms set forth in this section, the NHID may institute further administrative proceedings under the authority of RSA 400-A:15, III or any other applicable law.
- e. By entering into this Consent Order, the NHID and the Respondent intend to fully resolve all issues relating to the above-mentioned matters. This Consent Order shall be deemed a complete settlement and full and final resolution and is in lieu of any other action(s) that has and could have been brought by the NHID relating to these matters. Provided however, notwithstanding the foregoing, the NHID may take any and all appropriate actions should the Respondent violate any provision of the State's insurance laws in the future.
- f. This Consent Order shall be fully enforceable in any Superior Court in the State of New Hampshire, and any actions to enforce this Consent Order shall be governed by the laws of the State of New Hampshire.
- g. This Consent Order is considered a public regulatory action and will be reported to the National Association of Insurance Commissioners. The Respondent must, in the future, answer "YES" to any question which asks "have you ever been named or involved as party in an administrative proceeding" or any substantially similar question.

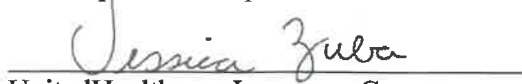
IT IS SO ORDERED.

NEW HAMPSHIRE INSURANCE DEPARTMENT

Date: 5/3/2023


 Christopher Nicolopoulos, Commissioner

Date: 4/26/2023


 UnitedHealthcare Insurance Company
 Authorized Representative, Respondent