

STATE OF MISSOURI



DEPARTMENT OF COMMERCE & INSURANCE

P.O. Box 690, Jefferson City, Mo. 65102-0690

In Re:

CIGNA HEALTH AND LIFE
INSURANCE COMPANY
(NAIC # 67369)

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Market Conduct Investigation No. 382903

ORDER OF THE DIRECTOR

NOW, on this 10th day of April, 2024, Director, Chlora Lindley-Myers, after consideration and review of the Stipulation of Settlement and Voluntary Forfeiture (hereinafter “Stipulation”) entered into by the Division of Insurance Market Regulation (hereinafter “Division”), and Cigna Health and Life Insurance Company (NAIC #67369) (hereinafter “Cigna”), relating to the market conduct investigation no. 382903, does hereby issue the following orders:

This order, issued pursuant to §374.046.15¹ and §374.280 is in the public interest.

IT IS THEREFORE ORDERED that Cigna and the Division having agreed to the Stipulation, the Director does hereby approve and agree to the Stipulation.

IT IS FURTHER ORDERED that Cigna shall not engage in any of the violations of statutes and regulations set forth in the Stipulation, shall implement procedures to place it in full compliance with the requirements in the Stipulation and the statutes and regulations of the State of Missouri, and to maintain those corrective actions at all times, and shall fully comply with all terms of the Stipulation.

¹ All references, unless otherwise noted, are to Revised Statutes of Missouri 2016.

IT IS FURTHER ORDERED that Cigna shall pay, and the Department of Commerce and Insurance, State of Missouri, shall accept, the Voluntary Forfeiture of \$1,000.00, payable to the Missouri State School Fund.

IT IS SO ORDERED.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office in Jefferson City, Missouri, this 10th day of April, 2024.



Chlora Lindley-Myers
Chlora Lindley-Myers
Director

**IN THE DEPARTMENT OF COMMERCE AND INSURANCE
STATE OF MISSOURI**

In Re:)
)
 CIGNA HEALTH AND LIFE) **Market Conduct Investigation No. 382903**
 INSURANCE COMPANY)
 (NAIC # 67369))
)

STIPULATION OF SETTLEMENT AND VOLUNTARY FORFEITURE

It is hereby stipulated and agreed by the Division of Insurance Market Regulation (hereinafter the “Division”), and Cigna Health and Life Insurance Company (hereinafter “Cigna”), as follows:

WHEREAS, the Division is a unit of the Missouri Department of Commerce and Insurance (hereinafter the “Department”), an agency of the State of Missouri, created and established for administering and enforcing all laws in relation to insurance companies doing business in the State of Missouri;

WHEREAS, Cigna has been granted a certificate of authority to transact the business of insurance in the State of Missouri;

WHEREAS, the Division conducted a market conduct investigation of Cigna, investigation case no. 382903; and

WHEREAS, based on the market conduct investigation of Cigna, the Division alleges that:

1. Cigna misrepresented to its insureds on their explanations of benefits that certain providers were in-network when they were out-of-network for the services provided, in violation of §§ 375.1007(1) and 375.1005(2), RSMo.¹

WHEREAS, the Division and Cigna have agreed to resolve the issues raised in the market

¹ All statutory references, unless otherwise noted, are to the 2016 Revised Statutes of Missouri.

conduct investigation as follows:

A. **Scope of Agreement.** This Stipulation of Settlement and Voluntary Forfeiture (hereinafter “Stipulation”) embodies the entire agreement and understanding of the signatories with respect to the subject matter contained herein. The signatories hereby declare and represent that no promise, inducement or agreement not herein expressed has been made, and acknowledge that the terms and conditions of this agreement are contractual and not a mere recital.

B. **Remedial Action.** Cigna agrees to take remedial action bringing it into compliance with the statutes and regulations of Missouri and agrees to maintain those remedial actions at all times. Such remedial actions shall include the following:

1. Cigna shall correct the system limitation issue for large group plans so accurate explanations of benefits are issued to insureds. Until such time as that occurs, for each claim processed with an inaccurate explanation of benefits issued due to Cigna’s system limitation issue, the insured shall only be held responsible for their in-network cost share and shall not be held liable for any excess amounts beyond allowable charges represented in the inaccurate explanation of benefits. This shall continue until the system limitation issue is fully remedied.

2. Cigna shall, to the extent not already in place, develop and adopt a system of controls to ensure the system limitation issue or similar issue does not reoccur.

C. **Compliance.** Cigna agrees to file documentation pursuant to § 374.190 with the Division, in a format acceptable to the Division, within 120 days of the entry of an Order approving this Stipulation, of any remedial action taken to implement compliance with the terms of this Stipulation.

D. **Voluntary Forfeiture.** Cigna agrees, voluntarily and knowingly, to surrender and forfeit the sum of \$1,000.00, such sum payable to the Missouri State School Fund, in accordance with §§ 374.049.11 and 374.280.2.

E. **Non-Admission.** Nothing in this Stipulation shall be construed as an admission by Cigna, this Stipulation being part of a compromise settlement to resolve disputed factual and legal allegations arising out of the above referenced market conduct investigation.

F. **Waivers.** Cigna, after being advised by legal counsel, does hereby voluntarily and knowingly waive any and all rights to procedural requirements, including notice and an opportunity for a hearing, and review or appeal by any trial or appellate court, which may have otherwise applied to the market conduct investigation no. 382903.

G. **Amendments.** No amendments to this Stipulation shall be effective unless made in writing and agreed to by authorized representatives of the Division and Cigna.

H. **Governing Law.** This Stipulation shall be governed and construed in accordance with the laws of the State of Missouri.

I. **Authority.** The signatories below represent, acknowledge and warrant that they are authorized to sign this Stipulation, on behalf of the Division and Cigna, respectively.

J. **Counterparts.** This Stipulation may be executed in multiple counterparts, each of which shall be deemed an original and all of which taken together shall constitute a single document. Execution by facsimile or by electronically transmitted signature shall be fully and legally effective and binding.

K. **Effect of Stipulation.** This Stipulation shall not become effective until entry of an Order by the Director of the Department (hereinafter "Director") approving this Stipulation.

L. **Request for an Order.** The signatories below request that the Director issue an Order approving this Stipulation and ordering the relief agreed to in the Stipulation, and consent to the issuance of such Order.

DATED: March 27, 2024

Teresa Kroll

Teresa Kroll
Chief Market Conduct Examiner
Division of Insurance Market Regulation

DATED: 3/21/24

Kristin Jordal

Name: Kristin Jordal
Title: Regional Growth Leader
Cigna Health and Life Insurance Company

march 21, 2024

Renee M Norman
Renee M Norman

Notary
exp. 11.30.2028

Renee M Norman
Notary Public-Connecticut
My Commission Expires
November 30, 2028

