



DEPARTMENT OF COMMERCE & INSURANCE

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

In Re:

UNITEDHEALTHCARE
INSURANCE COMPANY
(NAIC #707-79413)

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)
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)

Market Conduct Investigation No. 405649

ORDER OF THE DIRECTOR

NOW, on this 28 day of August, 2024, Director Chlora Lindley-Myers, after consideration and review of the Stipulation of Settlement (hereinafter “Stipulation”) entered into by the Division of Insurance Market Regulation (hereinafter “Division”) and UnitedHealthcare Insurance Company (hereinafter “UHIC”), relating to the market conduct investigation no. 405649, does hereby issue the following orders:

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

IT IS THEREFORE ORDERED that the Director does hereby approve the Stipulation as agreed to by UHIC and the Division.

IT IS FURTHER ORDERED that UHIC 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, shall 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 SO ORDERED.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office in Jefferson City, Missouri, this 28th day of AUGUST, 2024.



Chlora Lindley-Myers
Chlora Lindley-Myers
Director

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

In Re:)
)
 UNITEDHEALTHCARE) **Market Conduct Investigation No. 405649**
 INSURANCE COMPANY)
 (NAIC # 707-79413))
)

STIPULATION OF SETTLEMENT

It is hereby stipulated and agreed by the Division of Insurance Market Regulation (hereinafter the “Division”), and UnitedHealthcare Insurance Company (hereinafter “UHIC”), 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, UHIC 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 UHIC, investigation no. 405649; and

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

1. In 12 instances, UHIC failed to pay for services approved via prior authorization after the service took place, in violation of § 376.1363.7, § 376.1361.13, and 20 CSR 400-10.200(1), RSMo.¹

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

2. In one instance, UHIC authorized the provision of health care services after the service was provided and subsequently retracted its authorization, in violation of § 376.1361.13 and 20 CSR 400-10.200(1).

3. In 12 instances, UHIC misrepresented relevant facts to claimants, implicating the provisions of § 375.1007(1).

4. In 12 instances, UHIC refused to pay claims without conducting a reasonable investigation, implicating the provisions of § 375.1007(6).

WHEREAS, the Division and UHIC have agreed to resolve the issues raised in the market conduct investigation as follows:

A. **Scope of Agreement.** This Stipulation of Settlement (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.** UHIC 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. UHIC agrees to reprocess the 13 claims identified in the investigation and pay the claims according to covered benefits. Interest will be included with such payments pursuant to § 374.191.

2. UHIC agrees to conduct an audit of the timeframe of the system error, from June 2020 through October 2021, to ensure all prior authorized claims have been paid correctly according to the insured’s certificate of coverage. If charges were authorized but were denied, UHIC agrees to reprocess claims to allow charges and issue payment. Interest will be included with such payments

pursuant to §374.191. UHIC will report its findings to the Division in a format acceptable to the Division.

C. **Compliance.** UHIC agrees to file documentation pursuant to § 374.190 with the Division, in a format acceptable to the Division, within 30 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. **Non-Admission.** Nothing in this Stipulation shall be construed as an admission by UHIC, this Stipulation being part of a compromise settlement to resolve disputed factual and legal allegations arising out of the above referenced market conduct investigation.

E. **Waivers.** UHIC, 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. 405649.

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

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


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

I. **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.

J. **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.


K. **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: August 25, 2024



Teresa Kroll
Chief Market Conduct Examiner
Division of Insurance Market Regulation

DATED: 7/31/24



Name: David K. Hill
Title: Deputy General Counsel
UnitedHealthcare Insurance Company