

Gloria Russo Perrotta
Legal Compliance Senior Director
Cigna Legal & Corporate Affairs

State Government Affairs - Regulatory Operations



January 27, 2023

VIA EMAIL

Tashia Sizemore
Division of Financial Regulation
Oregon Department of Consumer and Business Services
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Salem, OR 97301-3883

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**RE: *Cigna Health and Life Insurance Company (“Cigna”), NAIC # 67369
Public Response to the Reproductive Health Equity Act (“RHEA”) Market Conduct
Examination Report from the Division of Financial Regulation (DFR)***

Dear Ms. Sizemore:

Cigna Health and Life Insurance Company (“Cigna”) received the Reproductive Health Equity Act (“RHEA”) Market Conduct Examination Report (“Report”) dated January 23, 2023. We thank the Division and the examination team for the opportunity to comment on the above referenced report. Given that this was Cigna’s first RHEA examination, we fully appreciate the need to work through some nuances related to its implementation and hope we will have the opportunity to continue our dialogue well in advance of future examinations.

First, Cigna agrees with certain findings of the Report and has identified corrective actions to address these findings. These actions and remediation of claims are being finalized.

Second, as we expressed throughout the examination process and at the December 20, 2022 hearing, Cigna disagrees with certain factual findings in the Report based on Cigna’s understanding of RHEA requirements. For example, in several instances, the Report concludes that Cigna failed to comply with ORS 743A.067 in processing certain paid RHEA-related claims by improperly applying cost share in the adjustment and payment of those claims (Report at p. 6). Cigna disagrees with the underlying finding that Cigna failed to appropriately process those claims and awaits further discussion on this topic in the future.

Cigna also disagrees with the factual basis for the Report’s finding that Cigna failed to resolve complaints and maintain records in violation of ORS 733.170 and OAR 836-053-1080. Insurers that operate nationally maintain books and records in a way that facilitates our national operations. We do not maintain records on a state-by-state basis, which we understand can be inconvenient for examiners, but it is compliant with Oregon law. Further, we continue to object to any characterization of untimeliness due to systems failures, which the Division acknowledged, were not within Cigna’s control.

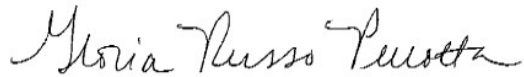
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Finally, Cigna reiterates its request for guidance from the Division on interpretation and application of RHEA. The Report's findings are based on an interpretation of RHEA that is inconsistent with information and guidance that Cigna received from the Division through the examination process.¹ Further guidance and clarity from the Division in terms of its expectations will assist Cigna and other insurers in their ongoing efforts to consistently comply with RHEA.

Sincerely,

A handwritten signature in cursive script that reads "Gloria Russo Perrotta".

Gloria R. Perrotta

¹ Exit conference discussion between DFR personnel and Cigna on August 24, 2022.