

**STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
INSURANCE DIVISION**

In the Matter of **UnitedHealthcare Insurance Company**) **STIPULATION** and
) **FINAL ORDER**
) Case No. INS 10-08-003

STIPULATION

The Director of the Oregon Department of Consumer and Business Services (director) commenced this administrative proceeding, pursuant to Oregon Revised Statutes (ORS) 731.256, to take enforcement action against UnitedHealthcare Insurance Company (UnitedHealthcare).

UnitedHealthcare desires to conclude this proceeding without a hearing by entering into this stipulation pursuant to ORS 183.417(3).

UnitedHealthcare waives all rights relative to an administrative hearing and judicial review thereof.

UnitedHealthcare stipulates to the following facts, conclusions, action, and to the issuance of a final order incorporating this stipulation.

Facts and Conclusions

Licensing Information

UnitedHealthcare has been licensed in Oregon as a foreign insurer since 11/1/72. UnitedHealthcare's last recorded principal business address is located in Cypress, California.

Filed Prompt Pay Health Claim Report Containing Extraneous, Incorrect, or Omitted Information

UnitedHealthcare is subject to enforcement action pursuant to OAR 836-080-0085(2)(a) because of the following circumstances. ORS 743.911(1) requires an insurer to pay a clean claim, as defined in OAR 836-080-0080(1), under a health benefit plan, as defined in ORS 743.730(19), within 30 days after receiving the claim or after receiving any required additional information whichever is later. ORS 743.911(5) requires an insurer to file with the director an annual report of its compliance with ORS 743.911. The report is referred to as a prompt pay report. OAR 836-080-0085(3) requires the

director to select a statistically valid sample of all claims previously reported by the insurer pursuant to OAR 836-080-0085(2), and send to the insurer a list of the sampled claims. OAR 836-080-0085(4) requires an insurer to file with the director a report containing certain information about the sampled claims. OAR 836-080-0085(2)(a) requires an insurer to include in its annual prompt pay report a count of all claims that were finally disposed of during the immediately preceding year. On 5/6/10, UnitedHealthcare filed its report of sampled claims for 2009. UnitedHealthcare included in its report of sampled claims for 2009 two claims that were finally disposed of in a year other than the immediately preceding year.

Action

Pursuant to ORS 731.988(1), UnitedHealthcare is assessed a civil penalty of \$4,000. The payment shall be made in the form of a check payable to the "Department of Consumer and Business Services" for the full amount due. The payment shall be delivered or mailed to the Insurance Division at the Labor and Industries Building, 350 Winter Street NE Room 300, Salem, Oregon 97301-3880; or mailed to the Insurance Division at PO Box 14480, Salem, OR 97309-0405. The payment shall be *received* by the Insurance Division by the date of the final order.

Dated September 3, 2010

/s/ Judith D'Ambrosio

[Signature of Representative]

Judith D'Ambrosio

[Printed Name of Representative]

Director Regulatory Affairs

[Printed Title of Representative]

UnitedHealthcare Insurance Company

FINAL ORDER

The director incorporates herein the above stipulation, adopts it as the director's final decision in this proceeding, and orders that the action stated therein be taken.

Dated September 16, 2010

/s/ Cory Streisinger

Cory Streisinger

Director

Department of Consumer and Business Services