

**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 11-03-018

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 Hartford, Connecticut.

Issued Group Health Insurance Policy to Unapproved Trust

UnitedHealthcare is subject to enforcement action pursuant to ORS 743.526(1) because of the following circumstances. ORS 743.526(1) prohibits an insurer from offering a group health insurance policy to a trust as the policyholder or from offering coverage under such a policy insuring a person residing in this state, whether issued in this or another state, unless the director determines that the trust satisfies certain requirements. UnitedHealthcare issued a group health insurance policy to a trust insuring persons residing in Oregon. Before it issued the

policy, UnitedHealthcare did not file with the director information about the trust pursuant to ORS 743.526(3) and therefore the director did not determine that the trust satisfied the applicable requirements.

Action

Pursuant to ORS 731.988(1), UnitedHealthcare is assessed a civil penalty of \$5,000. 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 April 21, 2011

/s/ Nancy J. Monk
[Signature of Representative]
Nancy J. Monk
[Printed Name of Representative]
Senior Vice President 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 July 11, 2011

/s/ Scott L. Harra
Scott L. Harra
Acting Director
Department of Consumer and Business Services

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