



OFFICE OF INSURANCE REGULATION

FILED

MAR 3 2014

KEVIN M. MCCARTY
COMMISSIONER

OFFICE OF
INSURANCE REGULATION
Docketed by: SPB

IN THE MATTER OF:

AETNA HEALTH, INC.
2013 Market Conduct Examination

Case No.: 144410-13

CONSENT ORDER

THIS CAUSE came on for consideration as the result of an agreement between AETNA HEALTH, INC. (hereinafter referred to as "AETNA") and the OFFICE OF INSURANCE REGULATION (hereinafter referred to as the "OFFICE"). Following a complete review of the entire record, and upon consideration thereof, and being otherwise fully advised in the premises, the OFFICE hereby finds as follows:

1. The OFFICE has jurisdiction over the subject matter of, and parties to, this proceeding.
2. AETNA is authorized to transact business in Florida as a health maintenance organization.
3. The OFFICE conducted a market conduct examination of AETNA, pursuant to Section 641.27, Florida Statutes. As a result, the OFFICE has determined that AETNA has violated the following provisions of the Florida Insurance Code:
 - (a) Section 641.3903(5)(c)1, Florida Statutes – Failure to properly investigate prior to paying, denying or adjudicating claims.
 - (b) Section 641.3155(3)(b), Florida Statutes – Failure to pay, deny, or contest out-of-network claims within the required timeframe.

(c) Section 641.3155(4)(a), Florida Statutes – Failure to provide timely acknowledgement of the receipt of out-of-network claims.

(d) Section 641.3155(6), Florida Statutes – Failure to pay interest on overdue out-of-network claims.

4. The OFFICE and AETNA expressly waive a hearing in this matter, and the making of Findings of Fact and Conclusions of Law by the OFFICE and other proceedings to which the parties may be entitled by law or by the rules of the OFFICE. AETNA hereby knowingly and voluntarily waives all rights to challenge or to contest the provisions of this Consent Order, in any forum now available, including the right to any administrative proceeding, circuit or federal court action, or any appeal.

5. AETNA agrees that upon the execution of this Consent Order it shall be subject to the following terms and conditions:

(a) AETNA shall pay a penalty of twenty-five thousand dollars (\$25,000) and administrative costs of three thousand dollars (\$3,000) on or before the 30th day after this Consent Order is executed.

(b) AETNA must provide to the OFFICE certification by an officer of the Company that corrective actions requested in the examination report have been completed. The certification is to be received within 30 days of the execution of the Consent Order.

6. AETNA agrees that the failure to adhere to one or more of the above terms and conditions of this Order shall constitute a violation of a lawful order of the OFFICE, and shall subject AETNA to such administrative action as the OFFICE may deem appropriate.

7. AETNA is hereby placed on notice of the requirements of the above-referenced sections of law and agrees that any future violations of these sections by AETNA may be deemed willful, subjecting AETNA to appropriate penalties.

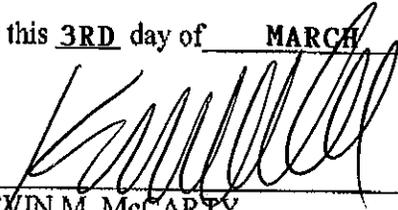
8. Except as noted above, each party to this action shall bear its own costs and attorney's fees.

WHEREFORE, the agreement between AETNA and the OFFICE, the terms and conditions of which are set forth above, is APPROVED.

FURTHER, all terms and conditions above are hereby ORDERED.

DONE AND ORDERED this 3RD day of MARCH 2014.





KEVIN M. McCARTY
Commissioner
Office of Insurance Regulation

By execution hereof, AETNA HEALTH, INC. consents to entry of this Consent Order, agrees without reservation to all of the above terms and conditions, and shall be bound by all provisions herein. The undersigned represents that he or she has the authority to bind AETNA HEALTH, INC. to the terms and conditions of this Consent Order and has personal knowledge of the Application and the information provided therein.

AETNA HEALTH, INC.

By Christopher G. Ciano

Christopher Ciano
Print or Type Name

Title: President, Florida Market

Date: _____

Corporate Seal

STATE OF Florida

COUNTY OF Broward

The foregoing instrument was acknowledged before me this 25th day of February 2014,

by Christopher Ciano as President, Florida Market
(Name) (Authority)

for Aetna Health, Inc.
(Company Name)

Karen Fuller
(Signature of the Notary)

KAREN FULLER
(Print, Type or Stamp Commissioned Name of Notary)

Personally Known or Produced Identification _____

Type of Identification Produced _____



[NOTARIAL SEAL]

My Commission Expires: 9/19/2015

COPIES FURNISHED TO:

MARK LABORDE
PRESIDENT

Aetna Health, Inc.
980 Jolly Road, US 11 S
Blue Bell, PA 19422-1904

JIM PAFFORD
DIRECTOR

Office of Insurance Regulation
Market Investigations
200 East Gaines Street
Tallahassee, FL 32399-4210

MONICA T. ROSS,
ASSISTANT GENERAL COUNSEL
Office of Insurance Regulation
Legal Services
200 East Gaines Street
Tallahassee, Florida 32399



OFFICE OF INSURANCE REGULATION

KEVIN M. McCARTY
COMMISSIONER

INVOICE

ADMINISTRATIVE PENALTY IMPOSED BY CONSENT ORDER

In order to ensure that your payment is received and properly credited, please make your check payable to the Florida Department of Financial Services and return this invoice with your payment to:

Department of Financial Services
Revenue Processing Section
P.O. Box 6100
Tallahassee, Florida 32314-6100

REFERENCE

NAME: Aetna Health, Inc.
ADDRESS: 980 Jolly Road, US 11 S
CITY, STATE, ZIP: Blue Bell, PA 19422-1904
FEIN: 59-2411584
NAIC COCODE: 95088
EXAM YR END: 2013
CASE #: 144410-13
ATTORNEY: Monica T. Ross
SOURCE: MARKET INVESTIGATIONS - 20193

Fine Due: \$ 25,000
Costs Due: \$ 3,000
Total Amount Due: \$ 28,000

Amount Remitted:

OFFICIAL USE ONLY - PLEASE DO NOT MARK BELOW THIS LINE]

<u>B/T</u>	<u>T/C</u>	<u>F/T</u>	<u>AMOUNT</u>
C	1105	J	\$
C	1249	J+	\$