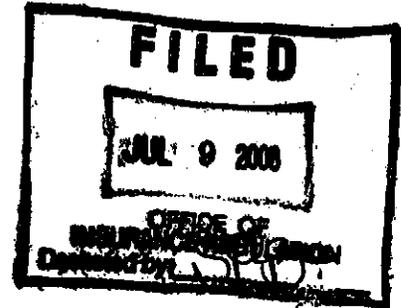




OFFICE OF INSURANCE REGULATION

KEVIN M. McCARTY  
COMMISSIONER



IN THE MATTER OF:

UNITED HEALTHCARE SERVICES, INC.

CASE NO.: 94465-08

2006 Market Conduct Examination

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CONSENT ORDER

THIS CAUSE came on for consideration upon the agreement between UNITED HEALTHCARE SERVICES, INC. (hereinafter referred to as "UNITED HEALTHCARE") 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. UNITED HEALTHCARE is a foreign discount medical plan organization authorized to transact discount medical plan business in Florida and is subject to the jurisdiction and regulation of the OFFICE pursuant to Chapter 636, Part II, Florida Statutes.
3. The OFFICE conducted a market conduct examination of UNITED HEALTHCARE in 2006 pursuant to Section 636.206, Florida Statutes. As a result of such examination, the OFFICE has determined that UNITED HEALTHCARE has violated the following provision of the Florida Insurance Code:

- a. Section 636.208(2), Florida Statutes – Failure to reimburse all periodic charges to members who cancelled their membership in the discount medical plan within the first 30 days after the effective date their enrollment in the plan.

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

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

- a. UNITED HEALTHCARE shall pay an administrative penalty of One Thousand Dollars (\$1,000) and administrative costs of Three Thousand Dollars (\$3,000) on or before the thirtieth (30<sup>th</sup>) day after this Consent Order is executed.
- b. UNITED HEALTHCARE shall, within thirty (30) days of the execution of this Consent Order, provide to the OFFICE a certification signed by an officer of the Company that the corrective actions outlined in the examination report have been completed. The certification shall include a detailed list of all fees returned, itemized by member name, member number, and the amount refunded.

6. UNITED HEALTHCARE is hereby placed on notice of the requirements of the above referenced section of law and agrees that any future violations of this section by UNITED

HEALTHCARE may be deemed willful, subjecting UNITED HEALTHCARE to appropriate penalties.

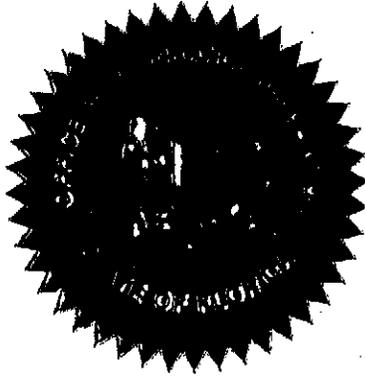
7. UNITED HEALTHCARE agrees that the failure to adhere to one or more of the above terms and conditions of this Consent Order shall constitute a violation of a lawful order of the OFFICE, and shall subject UNITED HEALTHCARE to such administrative action as the OFFICE may deem appropriate.

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

THEREFORE, the agreement between UNITED HEALTHCARE 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 9TH day of JULY 2008, //



\_\_\_\_\_  
KEVIN M. McCARTY  
Commissioner  
Office of Insurance Regulation

By execution hereof, UNITED HEALTHCARE SERVICES, INC. consents to entry of this 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 UNITED HEALTHCARE SERVICES, INC. to the terms and conditions of this Consent Order.

UNITED HEALTHCARE SERVICES, INC.

Corporate Seal

By: \_\_\_\_\_

Title: VICE PRESIDENT

Date: JUNE 24, 2008

STATE OF MINNESOTA  
COUNTY OF RAMSEY

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of JUNE, 2008,  
by \_\_\_\_\_ as VICE PRESIDENT for  
(Name of person) (Type of authority.... e.g. officer, trustee, attorney in fact)  
UNITED HEALTHCARE SERVICES, INC.  
(Company name)

Personally Known  or Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

Notarial Seal

(Signature of the Notary)

MICHAEL J. DIOGUARDI  
(Print, Type or Stamp Commissioned Name of Notary)

My Commission Expires:



**COPIES FURNISHED TO:**

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