

No. 2017- 5121

**OFFICIAL ORDER
of the
TEXAS COMMISSIONER OF INSURANCE**

Date: JUN 23 2017

Subject Considered:

CHRISTUS HEALTH PLAN
919 Hidden Ridge
Irving, Texas 75038

CONSENT ORDER
TDI ENFORCEMENT FILE NO. 12953

General remarks and official action taken:

The commissioner of insurance considers whether disciplinary action should be taken against Christus Health Plan. (Christus).

WAIVER

Christus acknowledges that the Texas Insurance Code and other applicable laws provide certain rights. Christus waives all of these rights and any other applicable procedural rights in consideration of the entry of this consent order.

FINDINGS OF FACT

1. TDI issued Christus basic service health maintenance organization (HMO) license number 96530, effective November 10, 2011.

2013 and 2016 Triennial Examinations

2. On June 4, 2013, TDI conducted a triennial quality of care examination of Christus for the period beginning November 10, 2011, and ending March 1, 2013.
3. In 2016, TDI conducted another triennial quality of care examination of Christus for the period beginning March 1, 2013, and ending December 31, 2015.
4. On December 16, 2016, TDI held an exit conference call with Christus to discuss the 2016 examination findings.

5. In Christus' 2016 examination, TDI found evidence Christus failed to provide a complete description of the complaint appeal process, similar to those issues TDI previously identified in Christus' 2013 examination.
6. In Christus' 2016 examination, TDI found evidence Christus failed to provide evidence that it published or filed a copy of its provider notification with the department in 2013 and 2014, similar to those issues TDI previously identified in Christus' 2013 examination.
7. In Christus' 2016 examination, TDI found evidence Christus failed to file executed delegation agreements with the department no later than 30th day after the date the agreement or amendment was executed for APS Health Care Bethesda, Caremark, Health First of Texas, and Victoria Medical Foundation, similar to those issues TDI previously identified in Christus' 2013 examination.
8. In Christus' 2016 examination, TDI found evidence Christus failed to maintain accurate electronic list of current contracted and credentialed physicians and providers participating in the approved delivery network.
9. Christus submitted a plan of correction to address the deficiencies cited in the final audit report issued by TDI on March 3, 2017.

CONCLUSIONS OF LAW

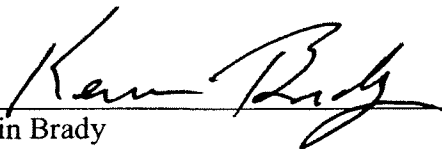
1. The commissioner has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 31.002; 82.051-82.055, 84.021-84.022, 401.055, 843.201-843.2015, 843.2553-843.260, and 1272.052; 28 TEX. ADMIN. CODE §§ 11.1401, 11.1607, and 11.2611; and TEX. GOV'T CODE §§ 2001.051-2001.178.
2. The commissioner has authority to informally dispose of this matter as set forth under TEX. GOV'T CODE § 2001.056, TEX. INS. CODE §§ 82.055 and 36.104, and 28 TEX. ADMIN. CODE § 1.47.
3. Christus violated TEX. INS. CODE §§ 843.253-843.260 because it failed to provide a complete description of the complaint appeal process.
4. Christus violated 28 TEX. ADMIN. CODE § 11.1402 because it failed to provide evidence that it published or filed a copy of its provider notification with the department in 2013 and 2014.
5. Christus violated TEX. INS. CODE § 1272.052(b) and 28 TEX. ADMIN. CODE § 11.2611 because it failed to file executed delegation agreements with the department no later than 30th day after the date the agreement or amendment was executed.

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6. Christus violated TEX. INS. CODE §§ 843.201-843.2015 and 28 TEX. ADMIN. CODE §11.1607 because it failed to maintain accurate electronic list of current contracted and credentialed physicians and providers participating in the approved delivery network.

The commissioner orders Christus Health Plans to pay an administrative penalty of \$85,000 within 30 days from the date of this order. The administrative penalty must be paid by company check, cashier's check, or money order made payable to the "State of Texas." Mail the administrative penalty to the Texas Department of Insurance, Attn: Enforcement Section, Division 40111, MC 9999, P.O. Box 149104, Austin, Texas, 78714-9104.



Kevin Brady
Deputy Commissioner for Agency Affairs
Texas Department of Insurance
Delegation Order 4506

Approved as to Form and Content:



Bev Rosendahl, Staff Attorney
Enforcement Section
Texas Department of Insurance

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AFFIDAVIT

STATE OF Texas §
COUNTY OF Dallas §

Before me, the undersigned authority, personally appeared the affiant, who being by me duly sworn, deposed as follows:

“My name is NANCY HOOSTMANN. I am of sound mind, capable of making this statement, and have personal knowledge of these facts which are true and correct.

I hold the office of CEO CHRISTUS HEALTH PLANS, and am the authorized representative of Christus Health Plan. I am duly authorized by said organization to execute this statement.

Christus Health Plan waives rights provided by the Texas Insurance Code and other applicable laws, and acknowledges the jurisdiction of the Texas commissioner of insurance.

Christus Health Plan is voluntarily entering into this consent order. Christus Health Plan consents to the issuance and service of this consent order.”

Nancy T. Hoostmann
Affiant

SWORN TO AND SUBSCRIBED before me on June 6, 2017.

(NOTARY SEAL)

[Signature]
Signature of Notary Public

