



Health Maintenance Organizations

NOTE: Pursuant to S.B. 1284, effective September 1, 2005, Health Maintenance Organizations and Non-profit Health Corporations are subject to the Texas Insurance [Holding Company System](#) Regulatory Act (TIC Ch 823).

IMPORTANT: All annual and quarterly statements and NAIC supplements and forms that are filed with TDI must be bar coded in accordance with the instructions contained in the NAIC Annual Statement Instructions manual.

Health Maintenance Organizations are required to file the following documents:

1. ANNUALLY ON OR BEFORE MARCH 1:

FINANCIAL ANALYSIS (Domestic and Foreign HMOs file paper copy with TDI only)	NAIC (Domestics and Foreign HMOs file electronic with the NAIC only)	COMPANY LICENSING & REGISTRATION (paper copy filing or as instructed by filing)
<ul style="list-style-type: none"> •Actuarial Opinion •Advertising Certificate of Compliance •All NAIC Annual Supplements •Annual Statement •Texas HMO Supplement # •Supplemental Compensation Exhibit ^ •Texas Overhead Assessment Form ^ 	<ul style="list-style-type: none"> •Actuarial Opinion •All NAIC Annual Supplements •Annual Statement 	<ul style="list-style-type: none"> •Company Details Sheet •Biographical Affidavits for each Officer and Director as listed on the Texas Officers and Directors Page <i>(if changes)</i> ^ Foreign companies need only file Biographical Affidavits if a change in President, Secretary or Treasurer •Texas Officers and Directors Page <i>(if changes)</i> ^

^ Required of Texas domestic companies only

Via Email

2. ANNUALLY ON OR BEFORE APRIL 1:

FINANCIAL ANALYSIS (Domestics and Foreign HMOs file paper copy with TDI only)	NAIC (Domestics and Foreign HMOs file electronic with the NAIC only)
<ul style="list-style-type: none"> •Management's Discussion and Analysis 	<ul style="list-style-type: none"> •Management's Discussion and Analysis

Health Maintenance Organizations (Continued)

3. QUARTERLY ON OR BEFORE MAY 15, AUGUST 15 and NOVEMBER 15:

FINANCIAL ANALYSIS (Domestics and Foreign HMOs file paper copy with TDI only)	NAIC (Domestics and Foreign HMOs file electronic with the NAIC only)
<ul style="list-style-type: none"> •All NAIC Quarterly Supplements •Texas HMO Supplement # •Quarterly Statement 	<ul style="list-style-type: none"> •All NAIC Quarterly Supplements* •Quarterly Statement

Via Email

4. ANNUALLY ON OR BEFORE JUNE 1:

FINANCIAL ANALYSIS (Multi-state Domestics and Foreign file paper copy with TDI only)	NAIC (Multi-state Domestics and Foreign file electronic with the NAIC only)
<ul style="list-style-type: none"> •CPA Audited Financial Report* 	<ul style="list-style-type: none"> •CPA Audited Financial Report*

ANNUALLY ON OR BEFORE JUNE 30:

FINANCIAL ANALYSIS (Texas Only Domestics file paper copy with TDI only)	NAIC (Texas Only Domestics and Foreign file electronic with the NAIC only)
<ul style="list-style-type: none"> •CPA Audited Financial Report* 	<ul style="list-style-type: none"> •CPA Audited Financial Report*

*Under TX Insurance Code Article 401.006, an insurer or HMO are generally exempt from filing CPA audited financial reports if they write less than \$1 million in direct Texas premiums. Also See **new 28 TAC §7.88**.

5. Sponsoring organization's CPA Audited Financial Report due within thirty (30) days of issuance of report by CPA.

6. a) **Certificate of Authority Filings:** All applications for Certificates of Authority (C/A, as well as amendments to C/A) to act as an HMO, (including Service Area Expansions, changes to organizational documents, changes of officers and directors, stop-loss contracts, and information required pursuant to TIC Ch 843 should be filed directly with:

Texas Department of Insurance
Company Licensing & Registration, MC 305-2C
P. O. Box 149104 **Phone: (512) 322-3507**
Austin, Texas 78714-9104 **Fax: (512) 490-1035**

Health Maintenance Organizations (Continued)

- b) **Changes in ownership, dividends, and affiliated agreements:** Any changes in affiliates, contracts with persons listed as Officers and Directors, and management agreements should be filed with:

**Texas Department of Insurance
Financial Analysis
333 Guadalupe St. MC 303-1A
Austin TX 78701**

- c) **Quality Assurance and Related Filings:** The Health & WC Network (HWCN) Division is responsible for quality of care examinations during the initial application process and service area expansions. Additionally, the HWCN Division will conduct, at a minimum, triennial on-site quality of care examinations. The HWCN Division investigates all complaints concerning HMOs in Texas. Subsequent to the issuance of a certificate of authority, each HMO is required to file certain information with the commissioner, either for approval prior to effectuation or for information only. These filings must be filed in accordance with Title 28 TAC §11.301 and should be filed directly with the filings intake unit at:

**Texas Department of Insurance
Life, Health & Licensing Program-Life, Health & HMO Intake Unit, MC 106-1E
P. O. Box 149104 Phone: (512) 322-4245
Austin, Texas 78714-9104 Fax: (512) 490-1017**

- d) **Triennial and Target Financial Examinations:** TDI's Examinations Division conducts Triennial and Target examinations (onsite exams). Inquiries regarding HMO financial examinations should be directed to:

**Texas Department of Insurance
Examinations Division, MC 305-2E
P. O. Box 149104 Phone: (512) 322-4393
Austin, Texas 78714-9104 Fax: (512) 322-5026**

- e) **HMO Complaints:** TDI's HWCN Division investigates and responds to quality of care complaints. However, the entry point for all complaints continues to be TDI's Consumer Protection Division. Complaints should be directed to:

**Texas Department of Insurance
HMO Complaints Division, MC 108-6A
P. O. Box 149104 Phone: (512)322-4266
Austin, Texas 78714-9104 Fax: (512)322-4260**

7. **Form B** – Electronic filings are now accepted. The Form B may be emailed (in PDF format) to: FAFilings@tdi.texas.gov. Please ensure that the name of the electronic file sent conforms to the following standard:

NAIC Number-Doc TypeYear-CompanyName. Doc Type
12345-FB-2009-ABC Life Ins Co.pdf

NOTE: Correspondence and exhibits to the Form B should be saved as separate PDF documents.

Health Maintenance Organizations (Continued)

ALSO NOTE: Send your payment with the completed [Cash Receipts Transmittal Form](#) along with the Form B cover sheet to the address shown below. Contact your holding company analyst or cathyann.christians@tdi.texas.gov if you have questions with filing electronically.

Texas Department of Insurance
 Financial Analysis MC 9999
 PO Box 149104
 Austin TX 78714-9104

8. Form B (Initial Registration Statement) - May be filed electronically (see #7)

To be filed within 15 days after the insurer becomes subject to registration. This applies to newly incorporated companies and those insurers no longer exempt under TIC Ch 823.015. The filing fee is \$150 or \$75 if company's gross premium receipts were less than \$450,000.

9. Form B (Annual Registration Statement) - May be filed electronically (see #7)

To be filed annually within 120 days after the end of the fiscal year of the ultimate controlling person. The filing fee is \$150 or \$75 if company's gross premium receipts were less than \$450,000.

10. HMO Statutory Filings and Fees

The following table represents the various types of filings made for approval and for informational purposes, by each HMO. For your convenience, the table specifies the type of filing; the statutory or rule reference for such; the area where such filing should be submitted and the applicable filing fee, if any.

DESCRIPTION & STATUTORY REFERENCE	RECEIVED BY/ FILED WITH:	FEE AMOUNT
Agreements with affiliates (TIC 843.103, TAC 11.301(4)(E) & (K), (TAC 11.804 - Investment Mgmt. Agmts., TIC 823.101 & TAC 7.204)	Financial Analysis	\$250
Amendments to Articles of Incorporation (TAC 11.301(4)(H))	Company Licensing	\$0
Amendments to Bylaws (TAC 11.301(4)(I))	Company Licensing	\$0
Assumption Reinsurance (TIC 492, TAC 7.10301(d)(10) and (11))	Company Licensing	\$750 Total \$150 Partial
Bios updates on O/D (TAC 11.301(5)(A))	Company Licensing	\$50
Cancellations or Amendments to Fidelity Bonds of the HMO's Officers and Employees (TIC 843.402, TAC 11.301(5)(B))	Financial Analysis	\$50

HMO Statutory Filings and Fees (continued)

DESCRIPTION & STATUTORY REFERENCE	RECEIVED BY/ FILED WITH:	FEE AMOUNT
Cancellations/fidelity bonds of management company (TIC 843.105(d-g), TAC 11.301(5)(B), if a non affiliate.	Financial Analysis	\$50
Cancellations/fidelity bonds of management company (TIC 843.105(d-g), TAC 11.301(5)(B) with an affiliate)	Financial Analysis	\$250
Capital Commitment Letters, Stock Subscription Agreements (TAC 11.301(5)(H), 11.204(15))	Financial Analysis	\$50
Change in Administrative Offices (TAC 11.301(5)(D))	Company Licensing	\$50
Changes in Affiliate Chart (TAC 11.301(5)(J))	Financial Analysis	\$50
Changes in EOC (TAC 11.301(4)(A))	HMO Division	\$100
Changes in Information to Prospective Group Contract Holders (TAC 11.301(5)(K))	HMO Division	\$50
Changes in Network Configuration (TAC 11.301(5)(M))	HMO Division	\$50
Changes to Emergency Care Procedures (TAC 11.301(4)(L))	HMO Division	\$0
Contracts between primary HMO's and provider HMO's or ANHC's (TAC 11.1604)	HMO Division	\$50
Contracts with O/D (TAC 11.301(4)(C))	Financial Analysis	\$0
Contracts with Providers (TAC 11.301(5)(G))	HMO Division	\$50
D/B/As, trade or service marks (TAC 11.301(4)(J)) Change in trade mark (TAC 11.301(5)(F))	Company Licensing	\$50
Delegated Network Agreement (TIC 1272, TAC 11.2601-2612)	HMO Division	\$50
Deposit with the Comptroller and Statutory Deposit Requirements (TIC 843.405, TAC 11.802)	Company Licensing	\$50
Dissolutions (Bus. Org Code Ch 21 (for profit) and Ch 22 (non profit)	Company Licensing	\$0
Dividends for Ordinary Dividend (TIC 403.001, 403.051-053, 823.008,823.053, TAC 7.203)	Financial Analysis	\$0
Dividends for Extraordinary Dividend (TIC 403.001, 823.008,823.012, 823.053, 823.107, TAC 7.204(d))	Financial Analysis	\$250
Exclusive Agency Contracts (TIC843.105, TAC 11.301(4)(C))	Financial Analysis	\$0
Exemption from change in control of affiliates (TIC 823.164 and TAC 7.203(k), 7.205(h), 11.1206)	Financial Analysis	\$250

HMO Statutory Filings and Fees (continued)

DESCRIPTION & STATUTORY REFERENCE	RECEIVED BY/ FILED WITH:	FEE AMOUNT
Foreign HMO C/A amendments, including change in registered office (TAC 11.301 (5)(E))	Company Licensing	\$50
Form A's (TAC 7.209, 11.301(4)(D) TIC 823.154 – 156, 843.085)	Financial Analysis	\$500 for up to \$10 million in purchase price plus \$250 for each additional \$10 million thereafter, not to exceed \$5,000 total fee per domestic insurer being acquired. This fee is paid by the Applicant.
Information to Prospective Group Contract Holders and Enrollees (TAC 11.301(5)(K), 11.1600)	HMO Division	\$50
Loans to Controlled Entities (TAC 11.301(4)(G) and TIC 823.101)	Financial Analysis	\$250
Management, Marketing, Administrative, EDP, Claims Processing Agreements (TIC 843.105, TAC 11.301(4)(G)); if with an affiliate. (TIC 823.101 and TAC 7.204)	Financial Analysis	\$0 w/ affiliate \$250
Material Transaction Filings (TIC 823.054)	Financial Analysis	\$250
Mergers (TIC 824)	Company Licensing	\$750
Method/Calculation of Rates (TAC 11.301(5)(C))	HMO Division	\$50
Modification of Compensation Arrangements (TAC 11.301(5)(J))	Financial Analysis	\$0
Move Books and Records Outside Texas (TIC 803, TAC 7.25)	Financial Analysis	\$150
Requirements for Certain Contracts between primary HMO's and provider HMO's or ANHC's (TAC 11.1604 (1))	HMO Division	\$50
Service Area Expansions (TAC 11.301(4), 11.302)	Company Licensing	Fee based on forms
Solvency Standards for Managed Care Organizations participating in Medicaid (TAC 11.1804)	Financial Analysis	\$0
Stop-loss or Reinsurance (TAC 11.204)(15)(A), 11.301(5)(H))	Financial Analysis	\$50
Surplus Debenture Filings – affiliate and non affiliate (TIC 427.051-054, 823.102 or 823.103, TAC 7.7)	Financial Analysis	\$250