

No. 2018 - 5404

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

Date: FEB 15 2018

Subject Considered:

HUMANA INSURANCE COMPANY
PO Box 740036
Louisville, KY 40201-7436

CONSENT ORDER
TDI ENFORCEMENT FILE NO. 12475

General remarks and official action taken:

The subject of this order is whether disciplinary action should be taken against Humana Insurance Company (Humana).

WAIVER

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

Pursuant to TEX. INS. CODE § 82.055(b), Humana agrees to this consent order with the express reservation that it does not admit to a violation of any provision of the Insurance Code or rule or regulation of the department and Humana maintains the existence of any violation is in dispute.

FINDINGS OF FACT

1. TDI issued Humana life, health, and accident license number 93526, effective May 2, 1980.
2. Humana's 2016 Annual Network Adequacy Report attested its statewide network was not adequate in some counties.
3. The National Committee for Quality Assurance credentialing standards requires an organization to re-credential practitioners every three years to confirm the status of the practitioner's license.
4. During the course of reviewing the annual network filings submitted by Humana, TDI found credentialing date deficiencies for multiple providers.

5. Humana submitted updated credentialing data and has represented to TDI that procedures are being implemented to ensure accurate credentialing.

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, and 1301.009; 28 TEX. ADMIN. CODE §§ 3.3704, 3.3706, and 3.3707; 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. Humana violated TEX. INS. CODE § 1301.009 and 28 TEX. ADMIN. CODE §§ 3.3704, 3.3706, and 3.3707 because it failed have an adequate network and failed to meet the credentialing standards promulgated by the National Committee for Quality Assurance and adopted by TDI.

It is ordered that Humana Insurance Company to pay an administrative penalty of \$50,000, 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 60851, MC 9999, PO Box 149104, Austin, Texas, 78714-9104.



Kent C. Sullivan
Commissioner of Insurance

Approved as to Form and Content:



Patrick S. Quigley, Attorney
Enforcement Section
Texas Department of Insurance

AFFIDAVIT

STATE OF KENTUCKY §
 §
COUNTY OF JEFFERSON §

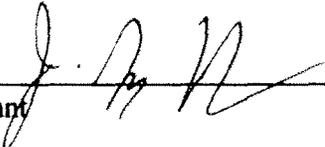
Before me, the undersigned authority, personally appeared the affiant, who being by me duly sworn, deposed as follows:

“My name is J. Gregory Catron. 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 Vice President and Chief Compliance Officer, and am the authorized representative of Humana Insurance Company. I am duly authorized by said organization to execute this statement.

Humana Insurance Company waives rights provided by the Texas Insurance Code and other applicable laws, and acknowledges the jurisdiction of the Texas commissioner of insurance.

Humana Insurance Company is voluntarily entering into this consent order. Humana Insurance Company consents to the issuance and service of this consent order.”

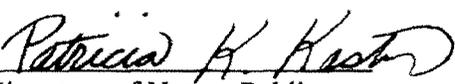


Affiant

SWORN TO AND SUBSCRIBED before me on Jan 2, 2018.

(NOTARY SEAL)





Signature of Notary Public