

No. 2017-4909

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

Date: JAN 24 2017

Subject Considered:

ALL SAVERS INSURANCE COMPANY
7440 Woodland Drive
Indianapolis, IN 46278

CONSENT ORDER
TDI ENFORCEMENT FILE NO. 11960

General remarks and official action taken:

The commissioner of insurance considers whether disciplinary action should be taken against All Savers Insurance Company (All Savers).

WAIVER

All Savers acknowledges that the Texas Insurance Code and other applicable laws provide certain rights. All Savers 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), All Savers 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 All Savers maintains the existence of any violation is in dispute.

FINDINGS OF FACT

1. On November 16, 1995, TDI issued All Savers life, accident, and health license no. 94549.
2. A health benefit plan issuer is required to develop and maintain a physician and health care provider directory that complies with the Texas Insurance Code.
3. A health benefit plan issuer is required to conduct an ongoing review of the directory and correct or update the directory at least once per month. Upon receipt of a report that the directory is inaccurate, the health benefit plan issuer is required to investigate and correct the information no later than the seventh day after the date the report is received.

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4. TDI received numerous complaints regarding the accuracy of All Saver's provider directories during 2015 and early 2016. All Savers quickly responded to all TDI complaints, contacted providers who had not provided the company with their updated contact information, revised portions of the directory, and worked with an outside Exchange Advocate to address further concerns and discrepancies.
5. TDI received a complaint in March 2016 demonstrating that one provider listed in All Saver's directory as in-network providers was actually no longer part of the All Saver's network.
6. Documentation provided to TDI indicates that as late as May 27, 2016, All Saver's directory still displayed the inaccurate information regarding this provider.
7. All Savers has represented to TDI that it has implemented updated processes to better ensure the accuracy of provider listings. All Savers updates its directories on a weekly basis.
8. All Savers cooperated with TDI in its investigation and resolution of this matter.
9. As of 12.31.2016, All Savers is no longer offering products or maintaining its business license in Texas.

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 1451.505(e); and TEX. GOV'T CODE §§ 2001.051-2001.178.
2. The commissioner has authority to informally dispose of this matter under TEX. GOV'T CODE § 2001.056, TEX. INS. CODE §§ 82.055 and 36.104, and 28 TEX. ADMIN. CODE § 1.47.
3. All Savers violated TEX. INS. CODE § 1451.505(e) because it failed to correct provider directory information within seven days of receiving a report that the provider directory was inaccurate.

The commissioner further orders All Savers Insurance Company to immediately comply with the requirements of Chapter 1451 regarding the updating of provider directories.

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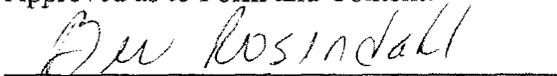
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The commissioner orders All Savers Insurance Company to pay an administrative penalty of \$5,000 within 30 days of the date of this Order. The administrative penalty must be paid by company check, cashier's check, or money order made payable to the "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.



David C. Mattax
Commissioner of Insurance

Approved as to Form and Content:



Beverly Rosendahl, Staff Attorney
Enforcement Section, Compliance Division
Texas Department of Insurance

