

*No. 2017- 5228

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

Date: SEP 22 2017

Subject Considered:

THE RENY COMPANY
1820 Preston Park Blvd Ste 1900
Plano, Texas 75093

CONSENT ORDER
TDI ENFORCEMENT FILE NO. 14303

General remarks and official action taken:

This order is in consideration of whether disciplinary action should be taken against The Reny Company (Reny).

WAIVER

Reny acknowledges that the Texas Insurance Code and other applicable laws provide certain rights. Reny 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 certified Reny as a worker's compensation non-network utilization review agent, certification no. 4928, on July 9, 1999. Reny's certification is current and expires on July 9, 2019.
2. On June 8, 2017, Reny filed an update application to their URA certification. The renewal requires the submission of template letters and an attestation that the URA is currently using the approved templates. The URA update was accepted on June 13, 2017.

Adverse Determination Templates

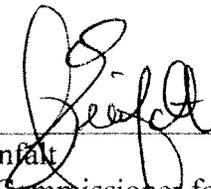
3. In 2017, Reny submitted a renewal application, including the submission of template letters. The initial adverse determination template letters provided by Reny in 2017 were not the templates that were previously approved during the 2015 update.

4. In July 2017, MCQA selected Reny for a utilization review audit of adverse determination letters currently in use. MCQA randomly selected three utilization review case files and requested Reny to provide all of the issued initial adverse determination letters in those cases.
5. Review of the three files revealed that Reny was not, in those cases, consistently using their most current adverse determination templates; templates previously approved by TDI.
6. Reny has represented to TDI that their most current adverse determination templates are now being used consistently and the issue has been resolved by Reny.

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 4201.303; 28 TEX. ADMIN. CODE § 19.1709; 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. Reny violated TEX. INS. CODE § 4201.303 and 28 TEX. ADMIN. CODE § 19.1709 by using unapproved adverse determination templates.

The commissioner orders The Reny Company to pay an administrative penalty of \$10,000 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, Legal and Enforcement Division 60851, MC 9999, P.O. Box 149104, Austin, Texas, 78714-9104.



Mark Einfalt
Deputy Commissioner for Compliance
Texas Department of Insurance
Delegation Order 4506

Approved as to Form and Content:



Bev Rosendahl, Staff Attorney
Enforcement Section
Texas Department of Insurance

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 John C. Moran. 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 Exec. Vice President, and am the authorized representative of The Reny Company. I am duly authorized by said organization to execute this statement.

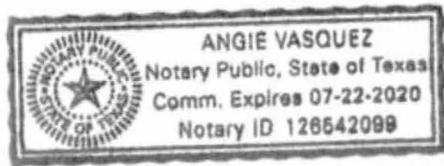
The Reny Company waives rights provided by the Texas Insurance Code and other applicable laws, and acknowledges the jurisdiction of the Texas commissioner of insurance.

The Reny Company is voluntarily entering into this consent order. The Reny Company consents to the issuance and service of this consent order."

[Signature]
Affiant

SWORN TO AND SUBSCRIBED before me on Sept. 15, 2017.

(NOTARY SEAL)



[Signature]
Signature of Notary Public