

No. **2023-8199**

**Official Order
of the
Texas Commissioner of Insurance**

Date: 9/14/2023

Subject Considered:

Humana Health Plan of Texas, Inc.
P.O. Box 740036
Louisville, Kentucky 40201-7436

Consent Order
TDI Enforcement File No. 31706

General remarks and official action taken:

This is a consent order with Humana Health Plan of Texas, Inc. (Humana Health Plan). During a review of the Network Configuration-Limited Provider Network filing, the Texas Department of Insurance found that Humana Health Plan violated Texas law. Humana Health Plan has agreed to pay a \$10,000 administrative penalty for these violations.

Waiver

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

Findings of Fact

1. Humana Health Plan holds an authorization to act as a health maintenance organization in Texas issued by the department.
2. Humana Health Plan is affiliated with Humana, Inc.

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3. Texas health maintenance organizations must file their provider network configurations with the department for review.
4. The department began its initial review of Humana Health Plan's Network Configuration-Limited Provider Network filing on November 29, 2022.
5. The department sent its first objection letter on December 2, 2022, notifying Humana Health Plan that the online provider directory was not compliant.
6. Humana Health Plan responded to the objection letter and represented to the department that the violation would be resolved by December 23, 2022.
7. Humana Health Plan then met with the department on December 8, 2022, and requested an additional 60 days to get the online provider directory into compliance. On December 15, 2022, the extension was granted, and a conditional approval letter was granted contingent upon Humana Health Plan's resolving deficiencies by February 12, 2023.
8. On February 8, 2023, Humana Health Plan notified the department that the deficiencies in the online provider directory were corrected. The department reviewed the directory again and still found violations.
9. Humana Health Plan represents that it has identified the cause of the issue resulting in the deficiencies in the online provider directory and has addressed it.
10. As of May 22, 2023, Humana Health Plan's online provider directory is in compliance.
11. Humana Health Plan has represented that it will continue performing systems monitoring and proactive quality improvement of its directories through multi-department collaboration, associate training, and partnering and validation with Internal Audit.
12. The Commissioner previously disciplined Humana Health Plan in Official Order No. 2022-7430, entered on August 11, 2022, based on violations found in a market conduct examination. This order included violations for failing to maintain accurate written and electronic lists of contracted providers.

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Conclusions of Law

1. The commissioner has jurisdiction over this matter under TEX. INS. CODE §§ 82.051–82.055, 84.021–84.044, 843, 1301, 1451.505, 4001.201, and 4201; 28 TEX. ADMIN. CODE §§ 3.3705, 3.8001–3.80320, 11.1600, 11.1607, 19.1703, 19.1705, 19.1709–19.1711, 19.1718, 21.2804, and 21.2815; and TEX. GOV'T CODE §§ 2001.051–2001.178.
2. The commissioner has the authority to dispose informally of this matter as set forth in TEX. GOV'T CODE § 2001.056, TEX. INS. CODE §§ 36.104 and 82.055, and 28 TEX. ADMIN. CODE § 1.47.
3. Humana Health Plan has knowingly and voluntarily waived all procedural rights to which it may have been entitled regarding the entry of this order, including, but not limited to, issuance and service of notice of intention to institute disciplinary action, notice of hearing, a public hearing, a proposal for decision, rehearing by the commissioner, and judicial review.
4. Humana Health Plan violated TEX. INS. CODE §§ 1451.504 and 1451.505(d) by failing to maintain accurate written and electronic lists of contracted providers.

Order

It is ordered that Humana Health Plan of Texas, Inc. must pay an administrative penalty of \$10,000 within 30 days from the date of this order. The administrative penalty must be paid as instructed in the invoice, which the department will send after entry of this order.

DocuSigned by:

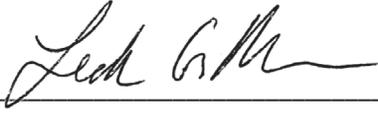
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Cassie Brown
Commissioner of Insurance

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Recommended and reviewed by:



Leah Gillum, Deputy Commissioner
Fraud and Enforcement Division



Sydney Moore, Staff Attorney
Enforcement

