

**Aetna Health, Inc.**

) **FIRST AMENDMENT**  
) **TO**  
) **CONSENT AGREEMENT**  
) **Docket No. INS 05-223**  
)

THIS FIRST AMENDMENT TO CONSENT AGREEMENT is entered into by and among Aetna Health, Inc. (“Aetna”), the Superintendent of the Maine Bureau of Insurance (the “Superintendent”), and the Office of the Attorney General.

WHEREAS, the parties entered into that certain Consent Agreement, effective October 25, 2005 (the “Consent Agreement”);

WHEREAS, paragraph 10(a) of the Consent Agreement requires Aetna to calculate and pay interest on certain claims;

WHEREAS, Aetna has requested that the Consent Agreement be modified to provide for a threshold level of interest to be paid in each claim;

WHEREAS, such a threshold is not inconsistent with the purposes of the Consent Agreement and Title 24-A of the Maine Revised Statutes; and

WHEREAS, the paragraph 18 of the Consent Agreement provides that such agreement may be modified only by the written mutual consent of all parties thereto;

NOW, THEREFORE, the parties agree that:

1. Paragraph 10(a) of the Consent Agreement is deleted in its entirety and the following substituted therefor:

10. Within sixty (60) days of the effective date of this Agreement, Aetna shall:

1. for the period starting September 18, 1999 and ending as of the effective date of this Agreement, (i) identify all claims any part of which Aetna did not pay timely to the claimant and (ii) calculate and pay outstanding interest to the appropriate claimant, provided however if the interest payment for any claim is \$2.00 or less, no interest payment will be issued to such claimant; and
2. Capitalized terms used but not defined herein have the meanings given them respectively in the Consent Agreement.
3. Except as hereby amended, the Consent Agreement remains in full force and effect.

« REMAINDER OF PAGE INTENTIONALLY LEFT BLANK »

First Amendment to Consent Agreement

SIGNATURE PAGE

Dated: \_\_\_\_\_, 2005

**AETNA HEALTH, INC.**

By: \_\_\_\_\_

Its: \_\_\_\_\_

Printed Name and Title

Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Date commission expires

Dated: \_\_\_\_\_, 2005

**MAINE OFFICE OF THE ATTORNEY  
GENERAL**

\_\_\_\_\_  
Thomas C. Sturtevant, Jr.  
Assistant Attorney General

**MAINE BUREAU OF INSURANCE**

Effective  
Dated: \_\_\_\_\_, 2005

\_\_\_\_\_  
Alessandro A. Iuppa  
Superintendent