

IN RE: CIGNA HEALTHCARE OF MAINE, INC.

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**CONSENT AGREEMENT**  
**Docket No. INS 03-202**

This document is a Consent Agreement, authorized by 10 M.R.S.A. § 8003(5)(B), entered into by and among Cigna Healthcare of Maine, Inc. (hereafter also “Cigna”), the Superintendent of the Maine Bureau of Insurance (hereafter “the Superintendent”), and the Office of the Attorney General. Its purpose is to resolve, without resort to an adjudicatory proceeding, failure to respond to a Bureau inquiry within 14 days pursuant to Title 24-A M.R.S.A. § 220(2).

**FACTS**

1. The Superintendent is the official charged with administering and enforcing Maine’s insurance laws and regulations.
2. Cigna is a Maine licensed HMO, license #HMD 004.
3. Title 24-A M.R.S.A. § 220(2) provides: *“Response to inquiries. All insurers and other persons required to be licensed pursuant to this Title shall respond to all lawful inquiries of the superintendent that relate to resolution of consumer complaints involving the licensee within 14 days of receipt of the inquiry and to all other lawful inquiries of the superintendent within 30 days of receipt. If a substantive response can not in good faith be provided within the time period, the person required to respond shall so advise the superintendent and provide the reason for the inability to respond.”*
4. Consumer filed a written complaint with the Bureau, complaint #2003-12371, on January 22, 2003, regarding payment of medical bills resulting from a heart attack Consumer suffered on July 5, 2001. Consumer asserted that she had made numerous attempts to resolve outstanding claims of more than \$17,000.00.
5. Bureau staff sent a letter to Cigna dated January 28, 2003 requesting a written response regarding Consumer’s complaint within 14 days. On April 2, 2003, Bureau staff sent Cigna a second request for a response to Consumer’s complaint. The second request was sent via certified mail and received by Cigna on April 7, 2003.
6. On April 23, 2003 Bureau staff again wrote to Cigna and enclosed a proposed consent agreement for failure to respond.
7. On May 23, 2003, Cigna provided the Bureau with a written explanation of claims payment and advised that the claims have been appropriately resolved.

**CONCLUSIONS OF LAW**

8. Cigna failed to respond to the Superintendent's inquiry within 14 days as required by Title 24-A M.R.S.A. § 220(2).

### COVENANTS

9. A formal hearing in this matter is waived and no appeal will be made.

10. At the time of executing this Agreement, Cigna shall pay to the Maine Bureau of Insurance a penalty in the amount of One thousand, Five Hundred Dollars and No Cents (\$1,500.00) payable to the Treasurer of the State of Maine.

11. In consideration of Cigna's execution of and compliance with the terms of this Consent Agreement, the Superintendent agrees to forgo pursuing any disciplinary measures or other civil sanction for the specific violations described above other than those agreed to in this Consent Agreement.

### MISCELLANEOUS

12. This Consent Agreement may only be modified by the written consent of the parties.

13. It is understood by the parties to this Agreement that nothing herein shall affect any rights or interests of any person not a party to this Agreement.

14. Cigna acknowledges that this Agreement is a public record within the meaning of 1 M.R.S.A. § 402, that this Agreement will be available for public inspection and copying as provided for by 1 M.R.S.A. § 408, and that this Agreement will be reported to the NAIC and included in the RIRS database.

15. Cigna has been advised of its right to consult with counsel and has, in fact, consulted with counsel before executing this Agreement.

16. Nothing herein shall prohibit the Superintendent from seeking an order to enforce this Agreement, or from seeking additional sanctions in the event that Cigna does not comply with the above terms, or in the event that the Superintendent receives evidence that further legal action is necessary.

### SIGNATURE PAGE

Dated: \_\_\_\_\_, 2003

**CIGNA HEALTHCARE OF MAINE, INC.**

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

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

Printed Name and Title

Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

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

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

\_\_\_\_\_  
Date of commission expiration

Dated: \_\_\_\_\_, 2003

**MAINE OFFICE OF THE ATTORNEY  
GENERAL**

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

**MAINE BUREAU OF INSURANCE**

Effective  
Date: \_\_\_\_\_, 2003

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Alessandro A. Iuppa  
Superintendent of Insurance