

## STATE CORPORATION COMMISSION

RECEIVED CONTROL

AT RICHMOND, MAY 21, 2008

COMMONWEALTH OF VIRGINIA

2008 MAY 21 A 8:20

At the relation of the

STATE CORPORATION COMMISSION

v.

CASE NO. INS-2007-00084

MAMSI LIFE AND HEALTH INSURANCE COMPANY,  
OPTIMUM CHOICE, INC.,  
MD-INDIVIDUAL PRACTICE ASSOCIATION, INC.,

Defendants

SETTLEMENT ORDER

Based on a market conduct examination performed by the Bureau of Insurance, it is alleged that the Defendants, duly licensed by the State Corporation Commission ("Commission") to transact the business of insurance or the business of a health maintenance organization in the Commonwealth of Virginia, in certain instances, have violated §§ 38.2-3407.15 B 4 a (ii)(c), 38.2-3407.15 B 4 a (ii)(d), 38.2-3407.15 B 8, 38.2-3407.15 B 9, 38.2-5802 C, and 38.2-5805 C 8 of the Code of Virginia.

The Commission is authorized by §§ 38.2-218, 38.2-219, 38.2-1040 and 38.2-4316 of the Code of Virginia to impose certain monetary penalties, issue cease and desist orders, and suspend or revoke the Defendants' licenses upon a finding by the Commission, after notice and opportunity to be heard, that the Defendants have committed the aforesaid alleged violations.

The Defendants have been advised of their right to a hearing in this matter, whereupon the Defendants, without admitting any violation of Virginia law, have made an offer of settlement to the Commission wherein the Defendants have tendered to the Commonwealth of Virginia the sum of twenty-five thousand dollars (\$25,000), waived their right to a hearing, agreed to the entry by the Commission of a cease and desist order, and agreed to comply with the

Corrective Action Plan contained in the Market Conduct Examination Report as of December 31, 2006.

The Bureau has recommended that the Commission accept the offer of settlement of the Defendants pursuant to the authority granted the Commission in § 12.1-15 of the Code of Virginia.

THE COMMISSION, having considered the record herein, the offer of settlement of the Defendants, and the recommendation of the Bureau of Insurance, is of the opinion that the Defendants' offer should be accepted.

IT IS THEREFORE ORDERED THAT:

(1) The offer of the Defendants in settlement of the matter set forth herein be, and it is hereby, accepted;

(2) The Defendants cease and desist from any future conduct which constitutes a violation of §§ 38.2-3407.15 B 4 a (ii)(c), 38.2-3407.15 B 4 a (ii)(d), 38.2-3407.15 B 8, 38.2-3407.15 B 9, 38.2-5802 C or 38.2-5805 C 8 of the Code of Virginia; and

(3) The papers herein be placed in the file for ended causes.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to Donna J. Meyer, Director, Regulatory Affairs, Mid-Atlantic Region, UnitedHealthcare, MD074-1000, 4 Taft Court, Rockville, Maryland 20850; and the Bureau of Insurance in care of Deputy Commissioner Jacqueline K. Cunningham.