

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
AT RICHMOND, SEPTEMBER 27, 2021

SEC-CLERK'S OFFICE
INDEPENDENT CONTROL CENTER

2021 SEP 27 P 4: 29

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COMMONWEALTH OF VIRGINIA, *ex rel.*

STATE CORPORATION COMMISSION

v.

CASE NO. INS-2021-00102

KAISER FOUNDATION HEALTH PLAN OF THE
MID-ATLANTIC STATES, INC.,
Defendant

SETTLEMENT ORDER

Based on a market analysis inquiry performed by the Bureau of Insurance ("Bureau"), it is alleged that Kaiser Foundation Health Plan of the Mid-Atlantic States, Inc. ("Defendant"), duly licensed by the State Corporation Commission ("Commission") to transact the business of insurance in the Commonwealth of Virginia ("Virginia"), violated: § 38.2-3463 of the Code of Virginia ("Code") by failing to provide an interactive comparison mechanism to enrollees in the small group market.

The Commission is authorized by §§ 38.2-218, 38.2-219, and 38.2-1040 of the Code to impose certain monetary penalties, issue cease and desist orders, and suspend or revoke a defendant's license upon a finding by the Commission, after notice and opportunity to be heard, that a defendant has committed the aforesaid alleged violation.

The Defendant has been advised of its right to a hearing in this matter whereupon the Defendant, without admitting or denying any violation of Virginia law, has made an offer of settlement to the Commission wherein the Defendant has tendered to the Treasurer of Virginia the sum of One Hundred Thousand Dollars (\$100,000); has waived its right to a hearing, has agreed to comply with the Corrective Action Plan contained in the Bureau's letter dated

April 2, 2021 as necessary to comply with § 38.2-3463 of the Code, by no later than June 30, 2022; and will provide the Bureau with quarterly updates on its progress.

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

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

Accordingly, IT IS ORDERED THAT:

1. The offer of the Defendant in settlement of the matter set forth herein is hereby accepted.
2. This case is dismissed, and the papers herein shall be placed in the file for ended causes.

A COPY hereof shall be sent by the Clerk of the Commission by electronic mail to: Stephanie Waszkiewicz, Director, Health Plan Compliance, Kaiser Foundation Health Plan of the Mid-Atlantic States, Inc., at stephanie.waszkiewicz@kp.org, 2101 East Jefferson Street, Rockville, Maryland 20852; and a copy shall be delivered to the Commission's Office of General Counsel and the Bureau of Insurance in care of Deputy Commissioner Julie S. Blauvelt.