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**Department of Insurance
State of Idaho**

BEFORE THE DIRECTOR OF THE IDAHO DEPARTMENT OF INSURANCE

In the Matter of:

**UNITEDHEALTHCARE OF THE
ROCKIES**, a Utah Company; NAIC CoCode
No. 95685 and **CARE IMPROVEMENT
PLUS SOUTH-CENTRAL INSURANCE
COMPANY**, a Nebraska company; NAIC
CoCode No. 12567

Respondents.

Docket No. 18-4775-25

**CEASE AND DESIST ORDER AND
NOTICE**

To: **UNITEDHEALTHCARE INSURANCE COMPANY and CARE
IMPROVEMENT PLUS SOUTH-CENTRAL INSURANCE COMPANY,**

Pursuant to the authority granted to the Director of the Idaho Department of Insurance (“Department”) in the Idaho Insurance Code, section 41-101, *et seq.*, Idaho Code, in particular section 41-213(1)(a), Idaho Code, in addition to the Administrative Procedures Act, Idaho Code § 67-5201, *et seq.*, the Director of the Department issues this **CEASE AND DESIST ORDER** without prior notice but with the opportunity for hearing based upon the following:

IDAHO LAW

Idaho Code §§ 41-1301 through 41-1321, known as the Trade Practices Law, was enacted by the legislature of the state of Idaho to define, or provide for the determination of, all such practices in this state which constitute unfair methods of competition or unfair or deceptive acts or practices and by prohibiting the trade practices so defined or determined.

The Director of the Idaho Department of Insurance is authorized to determine, for the purposes of § 41-1301, which practices constitute unfair or deceptive acts.

Idaho Code § 41-1302 prohibits any person in this state from engaging in any trade practice which is prohibited or defined in that chapter or determined pursuant to that chapter to be an unfair method of competition or an unfair or deceptive act or practice in the business of insurance.

Idaho Code § 41-1321 grants the Director discretion to determine if any method of competition or any act or practice that is not expressly prohibited or defined in that chapter is unfair or deceptive.

Idaho Code § 41-1321 grants the Director authority to seek any relief authorized by title 41, Idaho Code for those acts he determines to be unfair or deceptive.

Idaho Code § 41-213(1)(a) authorizes the Director to issue an order requiring a person to cease and desist from engaging in any act or practice constituting a violation of the Idaho Insurance Code.

Idaho Code §§ 41-213(1)(a) and 67-5247 provides that an agency may act through an emergency proceeding, otherwise known as a cease and desist order, in a situation involving an immediate danger to the public health, safety, or welfare requiring immediate agency action, or where to prohibit any unlawful act or practice.

RESPONDENTS

1. UNITEDHEALTHCARE OF THE ROCKIES (UHC), is a Utah-domiciled insurer.
2. CARE IMPROVEMENT PLUS SOUTH-CENTRAL INSURANCE COMPANY (referred to with co-respondent jointly as “UHC”) is a Nebraska-domiciled insurer.

FINDINGS OF FACT

3. UHC is a Utah-domiciled insurer licensed to transact insurance in the state of Idaho.¹

4. On or about September 2025, it came to the Department’s attention that UHC was intentionally limiting access to Medicare Advantage (MA) products by curtailing access to MA applications online.

5. Through approximately dozens of licensed Idaho agents, it also came to the Department’s attention that UHC was intentionally limiting paper applications and consumer access.

6. Through dozens of agents the department learned UHC was rescinding agent commissions on MA plans. UHC discontinued commissions even though commissions were included in the rates at development, filed for approval, and are being charged to Idahoans eligible for Medicare.

7. The Department verified UHC’s intentions when it received a copy of its *Amendment to Agent Agreement*, of September 9, 2025, wherein UHC notified agents that some MA plans would become non-commissionable for applications signed after October 1, 2025.

8. Many agents told the Department that they were informed directly by UHC representatives that the company did not want to sell any MA plans, despite planned marketing

¹ Co-respondent CARE IMPROVEMENT PLUS SOUTH-CENTRAL INSURANCE COMPANY is domiciled in Nebraska.

efforts, because they were concerned about the volume of consumers who would enroll. Agents were told UHC discontinued offering commissions to discourage enrollment.

9. In a meeting with the Department on or about October 17, 2025, a UHC representative said UHC was deliberately discouraging enrollment by any means possible.

10. The representative affirmed that the elimination of commissions was not about UHC saving money, it was about discouraging enrollment and steering interest away from MA plans.

CONCLUSIONS OF LAW

Based on the facts set forth above, the Director concludes as a matter of law that:

- a. The advertising, marketing, and selling of MA plans (with or without the involvement of agents) constitutes the business of insurance.
- b. An insurance company marketing in Idaho is required to be licensed in Idaho and abide by the laws of the state, especially Title 41 and including the Unfair Trade Practices Act.
- c. Seniors are afforded the opportunity to choose a plan through a limited open enrollment period of October 15th through December 7th. Due to the limited duration of open enrollment, UHC's actions require immediate action.
- d. Insurers spend significant funds to develop products and to actuarially rate products and submit those products for approval months in advance of the open enrollment period.
- e. UHC had every opportunity to design and develop their product before open enrollment.

- f. UHC willfully retained its zero-premium plan in the Idaho market, which was designed to attract seniors. UHC developed actuarially sound rates and intended to market that product.
- g. UHC is developing products and rates which account for commissions and then charging seniors the rate that includes commissions. By discouraging enrollment in those plans, it overstates its expenses and augments its profits by not paying the agents who market and service their customers.
- h. UHC is deliberately manipulating the insurance market by disincentivizing agents from selling MA plans by making enrollment and applications unavailable and by refusing to pay commissions that are being paid by the agents' clients.
- i. UHC is deliberately manipulating the insurance market by concealing MA plans from consumers by removing those applications from its website and requiring that applicants fill out a paper application instead and simultaneously making the paper application nearly impossible to obtain by all sales channels.
- j. UHC's practices constitute unfair or deceptive practices as contemplated in Idaho Code § 41-1321;
- k. Elderly consumers are among the most vulnerable and in need of MA products.
- l. Immediate action is needed to prevent present and future damage and further abuse.

Based on the foregoing findings of fact and conclusions of law, the Director enters the following order:

ORDER TO CEASE AND DESIST

Now, therefore, acting pursuant to the public interest and Idaho Code § 41-213(1)(a), it is hereby ORDERED that:

- a. UHC and its managing members, officers, employees, agents and successors, immediately CEASE AND DESIST from all practices and acts aimed at limiting or concealing MA plans from Idaho consumers;
- b. UHC, and its managing members, members, officers, employees, agents and successors, immediately CEASE AND DESIST from creating any disincentives of any kind to its agents to prevent the sale of MA plans;
- c. UHC, and its managing members, officers, employees, agents and successors, immediately CEASE AND DESIST from concealing MA plans on its applications either in paper or on its website or otherwise making it onerous to apply for those plans in favor of another plan.
- d. UHC and its managing members, officers, employees, agents and successors, immediately cease and desist from altering its contracts with agents to withhold commissions with the intent of manipulating the insurance market and depriving consumers of UHC's products.

NOTICE

Respondents are hereby notified that this Cease and Desist Order is a final order of the Director, subject to the Respondents' right to timely file a motion for reconsideration or a request for hearing. Pursuant to Idaho Code §§ 41-232 and 67-5246, the Respondents may file a motion for reconsideration of this Cease and Desist Order or a request for hearing within fourteen (14) days of the service of this Order.

Any hearing and subsequent proceedings in this matter will be conducted in accordance with Chapter 2, Title 41, of the Code and the Idaho Administrative Procedure Act, Idaho Code § 67-5201, *et seq.*

If the Respondents timely file a motion for reconsideration, the Department will dispose of such motion within twenty-one (21) days of its receipt, or the motion will be considered denied by operation of law, pursuant to Idaho Code § 67-5246(4).

If the Respondents timely file a request for hearing, the Respondents will be notified of the date, time and place of the hearing, as well as the name of the presiding officer. At the hearing, the Respondents will be entitled to enter an appearance, introduce evidence, examine and cross-examine witnesses, make arguments, and generally participate in the conduct of the proceedings. The Respondents may also be represented by legal counsel at their own expense.

Any motion for reconsideration or request for hearing must be timely made in writing, addressed to:

Dean L. Cameron, Director
Idaho Department of Insurance
700 W. State Street, 3rd Floor
P.O. Box 83720
Boise, Idaho 83720-0043

With a copy sent to:

Matt K. Steen
Deputy Attorney General
Idaho Department of Insurance
P.O. Box 83720
Boise, Idaho 83720-0043

Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this Order may appeal from such order to the district court by filing a petition in the district court of the county in which:

- a. a hearing was held;
- b. the final agency action was taken;
- c. the party seeking review of the order resides, or
- d. the real property or personal property that was the subject of the agency action is located.

An appeal must be filed within twenty-eight (28) days: (a) of the issuance of this Order, (b) of the issuance of an order denying a motion for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. Idaho Code § 67-5273(2). The filing of an appeal to the district court does not itself stay the effectiveness of enforcement of the order being appealed.

It is so ordered.

DATED this 28 day of October, 2025.

State of Idaho
Department of Insurance

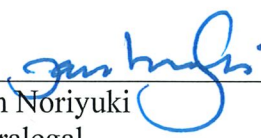


Dean L. Cameron
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have on this 28th day of October 2025, caused a true and correct copy of the foregoing CEASE AND DESIST ORDER AND NOTICE to be served upon the following by the designated means:

UnitedHealthCare of the Rockies Rebecca de la Torre, Market Conduct Contact rebeca.delatorre@uhc.com	☐ first class mail ☐ certified mail ☐ hand delivery ☐ via facsimile ☒ via email
Care Improvement Plus South-Central Insurance Company Joseph Stangle, Market Conduct Contact joseph_stangl@uhc.com	☐ first class mail ☐ certified mail ☐ hand delivery ☐ via facsimile ☒ via email
Matt K. Steen Deputy Attorney General Idaho Department of Insurance 700 W. State Street, 3 rd Floor P.O. Box 83720 Boise, ID 83720-0043 matt.steen@doi.idaho.gov	☐ first class mail ☐ certified mail ☐ hand delivery ☐ via facsimile ☒ via email



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Paralegal