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**MAY 29 2019**  
Department of Insurance  
State of Idaho

*Attorneys for the Department of Insurance*

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE**  
**STATE OF IDAHO**

In the Matter of:

AETNA HEALTH OF UTAH, INC.  
Certificate of Authority No. 3586  
NAIC ID No. 95407

Docket No. 18-3653-19

**ORDER AUTHORIZING BLOCK  
NONRENEWAL AND  
WITHDRAWAL FROM SMALL  
EMPLOYER GROUP HEALTH  
INSURANCE MARKET**

On or about May 15, 2019, the Idaho Department of Insurance (“Department”) received notification from AETNA HEALTH OF UTAH, INC. (“AETNA HEALTH”) of its intent to withdraw from the small employer group health insurance market in Idaho by discontinuing the offering of new policies and by block nonrenewing its existing small employer group health insurance policies delivered or issued for delivery in Idaho, pursuant to Idaho Code § 41-4707(1)(h), effective December 1, 2019.

AETNA HEALTH represents to the Department that it will provide a minimum of one hundred eighty (180) days’ written notice to affected plan sponsors, participants, and

beneficiaries of its intent to nonrenew the subject policies. However, AETNA HEALTH further represents that, as of the date of its notice described above, AETNA HEALTH has no existing in-force policies in Idaho.

AETNA HEALTH acknowledges that, pursuant to Idaho Code § 41-4707(2), it will be prohibited from offering and writing any new small employer group health plans in Idaho for five (5) years from May 15, 2019, the date of AETNA HEALTH's notice to the Department, as referenced above.

The proposed block nonrenewal appears to comply with the notice requirements set forth in Idaho Code §§ 41-1841(1) and 41-4707(1)(h).

The Director, having reviewed the foregoing and the requirements of Idaho Code §§ 41-1841(1) and 41-4707(1)(h), and good cause appearing therefor,

NOW THEREFORE, IT IS HEREBY ORDERED that AETNA HEALTH is authorized, pursuant to Idaho Code §§ 41-1841(1) and 41-4707(1)(h), to effectuate a block nonrenewal and discontinue all of its small employer group health insurance policies in Idaho, effective December 1, 2019.

IT IS FURTHER ORDERED that AETNA HEALTH shall provide written notice of not less than one hundred eighty (180) days to any Idaho small employer, participant, or beneficiary affected by the nonrenewals authorized by this order, in accordance both with the notice provisions included in the company's applicable insurance policies and with the requirements of Idaho Code § 41-4707.

IT IS FURTHER ORDERED that AETNA HEALTH is prohibited from offering and writing any new business in the small employer group health insurance market in Idaho prior to May 15, 2024, pursuant to Idaho Code § 41-4707(2).

THIS ORDER is a final order of the Director and is EFFECTIVE IMMEDIATELY.

DATED this 29 day of May, 2019.

STATE OF IDAHO  
DEPARTMENT OF INSURANCE



DEAN L. CAMERON  
Director

### **NOTIFICATION OF RIGHTS**

This is a final order of the agency. Any party may file a motion for reconsideration of this final order within fourteen (14) days of the service date of this order. The agency will dispose of the motion for reconsideration within twenty-one (21) days of its receipt, or the motion will be considered denied by operation of law. See Idaho Code § 67-5246(4).

Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order or orders previously issued in this case may file a petition for judicial review in the district court of the county in which:

- i. A hearing was held;
- ii. The final agency action was taken;
- iii. The party seeking review of the order resides, or operates its principal place of business in Idaho; or
- iv. The real property or personal property that was the subject of the agency action is located.

A petition for judicial review must be filed within twenty-eight (28) days of: (a) the service date of this final order, (b) the service of an order denying motion for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a motion for reconsideration, whichever is

later. See Idaho Code § 67-5273. The filing of a petition for judicial review does not itself stay the effectiveness or enforcement of the order under appeal. Idaho Code § 67-5274.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 29<sup>th</sup> day of May, 2019, I caused a true and correct copy of the foregoing ORDER AUTHORIZING BLOCK NONRENEWAL AND WITHDRAWAL FROM SMALL EMPLOYER GROUP HEALTH INSURANCE MARKET to be served upon the following by the designated means:

Aetna Health of Utah, Inc.  
10150 S. Centennial Parkway, Ste. 450  
Sandy, UT 84070-4166

- first class mail
- certified mail
- hand delivery
- via facsimile
- via email

Clifton Able  
Senior Compliance Lead  
Aetna  
600 University Street, Ste. 920  
Seattle, WA 98101

- first class mail
- certified mail
- hand delivery
- via facsimile
- via email

Edith L. Pacillo  
Lead Deputy Attorney General  
Idaho Department of Insurance  
700 W. State Street, 3<sup>rd</sup> Floor  
P.O. Box 83720  
Boise, ID 83720-0043

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- via email

  
Pamela Murray