

IN THE DEPARTMENT OF COMMERCE AND INSURANCE  
STATE OF MISSOURI

*In Re:*

ALL SAVERS INSURANCE COMPANY  
(NAIC #82406)

)  
)  
)  
)

Market Conduct Investigation No. 236806

**ORDER OF THE DIRECTOR**

NOW, on this 29<sup>th</sup> day of OCTOBER, 2020, Director, Chlora Lindley-Myers, after consideration and review of the Stipulation of Settlement (hereinafter "Stipulation") entered into by the Division of Insurance Market Regulation (hereinafter "Division"), and All Savers Insurance Company (NAIC #82406) (hereinafter "ASIC"), relating to the market conduct investigation no. 236806, does hereby issue the following orders:

This order, issued pursuant to §374.046.15<sup>1</sup> is in the public interest.

**IT IS THEREFORE ORDERED** that ASIC and the Division having agreed to the Stipulation, the Director does hereby approve and agree to the Stipulation.

**IT IS FURTHER ORDERED** that ASIC shall not engage in any of the violations of law and regulations set forth in the Stipulation, shall implement procedures to place it in full compliance with the requirements in the Stipulation and the statutes and regulations of the State of Missouri, and to maintain those corrective actions at all times, and shall fully comply with all terms of the Stipulation.

**IT IS SO ORDERED.**

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of my office in Jefferson City, Missouri, this 29<sup>th</sup> day of OCTOBER, 2020.



*Chlora Lindley-Myers*

Chlora Lindley-Myers  
Director

<sup>1</sup> All references, unless otherwise noted, are to Missouri Revised Statutes 2016, as amended.

**IN THE DEPARTMENT OF COMMERCE AND INSURANCE  
STATE OF MISSOURI**

*In Re:* )  
 )  
 **ALL SAVERS INSURANCE COMPANY** ) **Market Conduct Investigation**  
 **(NAIC #82406)** ) **No. 236806**

**STIPULATION OF SETTLEMENT**

It is hereby stipulated and agreed by the Division of Insurance Market Regulation (hereinafter, the “Division”), and All Savers Insurance Company (NAIC #82406) (hereinafter “ASIC”), as follows:

**WHEREAS**, the Division is a unit of the Missouri Department of Commerce and Insurance (hereinafter, the “Department”), an agency of the State of Missouri, created and established for administering and enforcing all laws in relation to insurance companies doing business in the State of Missouri; and

**WHEREAS**, ASIC has been granted a certificate of authority to transact the business of insurance in the State of Missouri; and

**WHEREAS**, the Division conducted a market conduct investigation of ASIC, investigation #236806; and

**WHEREAS**, based on the market conduct investigation of ASIC, the Division alleges that:

1. ASIC issued policies to members that provided a cost-sharing benefit for hospital-based lab and diagnostic procedures outside of the approved range of 70-100%. ASIC reduced the benefits represented on schedule form SBN.IEX.CMP.I.15.MO via System for Electronic Rate and Form Filing (hereinafter “SERFF”) tracking number UHLC-129605877 from 70-100% to 50% and 60% without filing the modifications for approval by the Department in violation of 20 CSR 100-9.100(3).

**WHEREAS**, the Division and ASIC have agreed to resolve the issues raised in the market

conduct investigation as follows:

A. **Scope of Agreement.** This Stipulation of Settlement (hereinafter, "Stipulation") embodies the entire agreement and understanding of the signatories with respect to the subject matter contained herein. The signatories hereby declare and represent that no promise, inducement or agreement not herein expressed has been made, and acknowledge that the terms and conditions of this agreement are contractual and not a mere recital.

B. **Remedial Action.** ASIC agrees to take remedial action bringing it into compliance with the statutes and regulations of Missouri and agrees to maintain those remedial actions at all times, to reasonably ensure that the errors noted in the market conduct investigation do not recur. Such remedial actions shall include, but are not limited to, the following:

1. ASIC agrees to conduct a review of all claims paid or processed from January 1, 2017 through December 31, 2018 to identify the number of Missouri consumers whose Compass health plans provide 50% or 60% coverage for outpatient lab testing, x-rays, and other diagnostic testing performed in a hospital-based setting. If any claim was paid at the unapproved range of 50% or 60%, then ASIC agrees to reprocess those claims paying the range of 70%-100% of eligible expenses pursuant to the approved language filed under SERFF #UHLC-129605877 form SBN.1EX-CMP.I.15.MO. Information must be included with the payments indicating that "as a result of a Missouri market conduct examination," it was found that additional payment was owed on the claim. ASIC further agrees to provide documentation to the Division that refunds were mailed to the policyholders.

C. **Compliance.** ASIC agrees to file documentation with the Division, in a format acceptable to the Division, within 30 days of the entry of a final order of any remedial action taken pursuant to Paragraph B to implement compliance with the terms of this Stipulation. Such documentation is provided pursuant to §374.190.

D. **Fees.** ASIC agrees to pay any reasonable fees expended by the Division in conducting its review of the documentation provided by the Company pursuant to Paragraphs B and C of this Stipulation.

E. **Penalties.** The Division agrees that it will not seek penalties against ASIC in connection with market conduct investigation #236806.

F. **Non-Admission.** Nothing in this Stipulation shall be construed as an admission by ASIC, this Stipulation being part of a compromise settlement to resolve disputed factual and legal allegations arising out of the above-referenced market conduct investigation.

G. **Waivers.** ASIC, after being advised by legal counsel, does hereby voluntarily and knowingly waive any and all rights for procedural requirements, including notice and an opportunity for a hearing, and review or appeal by any trial or appellate court, which may have otherwise applied to the market conduct investigation #236806.

H. **Changes.** No changes to this Stipulation shall be effective unless made in writing and agreed to by representatives of the Division and ASIC.

I. **Governing Law.** This Stipulation shall be governed and construed in accordance with the laws of the State of Missouri.

J. **Authority.** The signatories below represent, acknowledge and warrant that they are authorized to sign this Stipulation, on behalf of the Division and ASIC respectively.

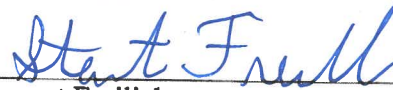
K. **Counterparts.** This Stipulation may be executed in multiple counterparts, each of which shall be deemed an original and all of which taken together shall constitute a single document. Execution and delivery of this Stipulation by facsimile or by an electronically transmitted signature shall be fully and legally effective and binding.

L. **Effect of Stipulation.** This Stipulation shall not become effective until entry of a Final Order by the Director of the Department (hereinafter the "Director") approving this

Stipulation.

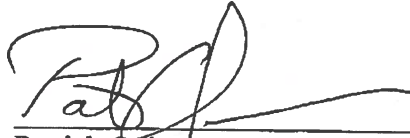
M. **Request for an Order.** The signatories below request that the Director issue an Order approving this Stipulation and ordering the relief agreed to in the Stipulation, and consent to the issuance of such Order.

DATED: 10-28-2020



Stewart Freilich  
Chief Market Conduct Examiner and  
Senior Counsel  
Division of Insurance Market Regulation

DATED: 10-28-20



Patrick Quinn  
CEO – Missouri and Central/Southern Illinois  
Employer and Individual  
All Savers Insurance Company