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December 12, 2022

Ms. Malika Evans  
Senior Director of Member Service and Medical Records  
Kaiser Foundation Health Plan of the Mid-Atlantic States, Inc.  
2101 East Jefferson Street  
Rockville, MD 20852

Re: MIA v. Kaiser Foundation Health Plan of the Mid-Atlantic States, Inc.  
Case No.: MIA-2021-03-030  
2019 Network Adequacy Access Plan Filing

Dear Ms. Evans:

The Maryland Insurance Administration (“Administration”) and Kaiser Foundation Health Plan of the Mid-Atlantic States, Inc. (“KFHP”) entered into a Consent Order on March 26, 2021 (the “Consent Order”) to resolve matters related to the KFHP 2019 access plan.

In the Consent Order, the Administration concluded that KFHP violated § 15-112 of the Insurance Article and COMAR 31.10.44.03C by submitting an access plan that failed to comply with certain required travel distance standards and certain appointment waiting time standards. The Administration imposed an administrative penalty on KFHP of \$50,000 for the violations, but suspended the penalty pending the Administration’s (i) review of the access plan submitted by KFHP in 2021; (ii) determination as to whether the 2021 access plan substantiates representations made by KFHP related to its intent to improve its compliance with the standards; and (iii) based on such review and determination, decision on whether the administrative penalty should be paid, reduced, or rescinded.

The Administration has completed its review of the KFHP 2021 access plan filed on July 1, 2021, supplemented with additional information and documentation on March 10, 2022, and March 14, 2022. This filing was made pursuant to § 15-112(c)(2)(i) of the Insurance Article and COMAR 31.10.44, and the Administration issued a determination summarizing its review on December 12, 2022.

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The KFHP 2021 access plan demonstrated to the satisfaction of the Administration that all of the deficiencies reported in the KFHP 2019 access plan were either resolved, or were the result of circumstances that merited the granting of a waiver by the Administration of the otherwise applicable standard, as detailed in the determination letter issued by the Administration on December 12, 2022. The Administration has therefore determined that the KFHP 2021 access plan substantiates representations made by KFHP related to its intent to improve its compliance with the standards, and the \$50,000 penalty is hereby rescinded in its entirety, in accordance with the terms of the Consent Order.

This determination letter is limited to the KFHP 2019 Access Plan, and is independent of the Administration's review of any other Network Adequacy Access Plans and submissions in connection thereof which are filed by KFHP.

Very truly yours,

A handwritten signature in black ink, appearing to read 'David Cooney', written over a faint circular stamp.

David Cooney  
Associate Commissioner  
Life and Health