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December 20, 2021

Ms. Christina Stecki
MHA National Regulatory Affairs
UnitedHealthcare Employer & Individual
5701 Katella Ave, Mailstop CA120-0353
Cypress, California 90630

Re: UnitedHealthcare of the Mid-Atlantic, Inc. ("UHCMA")
Network Adequacy Filing 2020

Dear Ms. Stecki:

The Maryland Insurance Administration ("Administration") has completed its review of the UHCMA 2020 Network Adequacy Access Plans (the "UHCMA 2020 Access Plans") filed on July 1, 2020, supplemented with additional information and documentation on September 30, 2020, March 1, 2021, May 7, 2021, August 6, 2021, and November 29, 2021. These filings were made pursuant to § 15-112(c)(2)(i) of the Insurance Article and COMAR 31.10.44.

In 2020, UHCMA reported that they used three provider panels for health benefit plans in Maryland, the Choice/Choice Plus network, the Navigate network, and the Core network. Distinct access plans and executive summary plan forms were filed for each of these networks. This determination letter includes the Administration's findings for each of these networks.

UHCMA 2020 Access Plan-Choice/Choice Plus Network

The Administration's review of the UHCMA 2020 Access Plan for the Choice/Choice Plus network has found that the access standards in COMAR 31.10.44.04 were not met for the following, based on the data self-reported by UHCMA. All other access standards in COMAR 31.10.44 were met.

Travel Distance Standards

1. Applied behavioral analyst providers met the required standard for 99.5% of urban enrollees, leaving 4 members outside the travel distance standard of fifteen miles in one

zip code. The standard was met for 99.4% of suburban enrollees, leaving 4 members outside the travel distance standard of thirty miles in one zip code.

2. Dermatology providers met the required standard for 99.6% of urban enrollees, leaving 3 members outside the travel distance standard of ten miles in one zip code.
3. Gastroenterology providers met the required standard for 99.5% of urban enrollees, leaving 4 members outside the travel distance standard of ten miles in one zip code.
4. Gynecology, OB/GYN providers met the required standard for 99.5% of urban enrollees, leaving 4 members outside the travel distance standard of five miles in one zip code. The standard was met for 99.4% of suburban enrollees, leaving 4 members outside the travel distance standard of ten miles in one zip code.
5. Neurology providers met the required standard for 99.5% of urban enrollees, leaving 4 members outside the travel distance standard of ten miles in one zip code.
6. Oncology - medical and surgical providers met the required standard for 99.5% of urban enrollees, leaving 4 members outside the travel distance standard of ten miles in one zip code.
7. Oncology - radiation/radiation oncology providers met the required standard for 99.5% of urban enrollees, leaving 4 members outside the travel distance standard of fifteen miles in one zip code.
8. Ophthalmology providers met the required standard for 99.5% of urban enrollees, leaving 4 members outside the travel distance standard of ten miles in one zip code.
9. Pediatrics - routine/primary care providers met the required standard for 99.5% of urban enrollees, leaving 4 members outside the travel distance standard of five miles in one zip code. The standard was met for 99.4% of suburban enrollees, leaving 4 members outside the travel distance standard of ten miles in one zip code.
10. Urology providers met the required standard for 99.5% of urban enrollees, leaving 4 members outside the travel distance standard of ten miles in one zip code.
11. Acute inpatient hospital facilities met the required standard for 99.5% of urban enrollees, leaving 4 members outside the travel distance standard of ten miles in one zip code.
12. Diagnostic radiology facilities met the required standard for 99.5% of urban enrollees, leaving 4 members outside the travel distance standard of ten miles in one zip code.
13. Outpatient dialysis facilities met the required standard for 99.5% of urban enrollees, leaving 4 members outside the travel distance standard of ten miles in one zip code.

14. Skilled nursing facilities met the required standard for 99.5% of urban enrollees, leaving 4 members outside the travel distance standard of ten miles in one zip code.
15. Surgical services (outpatient or ambulatory surgical center) facilities met the required standard for 99.8% of urban enrollees, leaving 2 members outside the travel distance standard of ten miles in one zip code.
16. Other behavioral health/substance abuse facilities met the required standard for 99.1% of urban enrollees, leaving 7 members outside the travel distance standard of ten miles in two zip codes.

UHCMA 2020 Access Plan-Navigate Network

The Administration's review of the UHCMA 2020 Access Plan for the Navigate network has found that the access standards in COMAR 31.10.44.04 were not met for the following, based on the data self-reported by UHCMA. All other access standards in COMAR 31.10.44 were met.

Travel Distance Standards

17. Allergy and Immunology providers met the required standard for 99.4% of suburban enrollees, leaving 2 members outside the travel distance standard of thirty miles in one zip code.
18. Applied behavioral analyst providers met the required standard for 98.1% of suburban enrollees, leaving 7 members outside the travel distance standard of thirty miles in two zip codes. The standard was met for 99% of rural enrollees, leaving 6 members outside the travel distance standard of sixty miles in three zip codes.
19. Gynecology, OB/GYN providers met the required standard for 99.7% of suburban enrollees, leaving 1 member outside the travel distance standard of ten miles in one zip code.
20. Inpatient psychiatric facilities met the required standard for 99.4% of suburban enrollees, leaving 2 members outside the travel distance standard of forty-five miles in one zip code.

UHCMA 2020 Access Plan-Core Network

The Administration's review of the UHCMA 2020 Access Plan for the Core network has found that the access standards in COMAR 31.10.44.04 were not met for the following, based on the data self-reported by UHCMA. All other access standards in COMAR 31.10.44 were met.

Travel Distance Standards

21. Allergy and Immunology providers met the required standard for 99.7% of suburban enrollees, leaving 3 members outside the travel distance standard of thirty miles in one zip code.
22. Applied behavioral analyst providers met the required standard for 99.3% of urban enrollees, leaving 6 members outside the travel distance standard of fifteen miles in one zip code. The standard was met for 99.6% of suburban enrollees, leaving 4 members outside the travel distance standard of thirty miles in one zip code. The standard was met for 99.4% of rural enrollees, leaving 8 members outside the travel distance standard of sixty miles in three zip codes.
23. Dermatology providers met the required standard for 99.4% of urban enrollees, leaving 5 members outside the travel distance standard of ten miles in one zip code.
24. Gastroenterology providers met the required standard for 99.3% of urban enrollees, leaving 6 members outside the travel distance standard of ten miles in one zip code.
25. General surgery providers met the required standard for 99.4% of urban enrollees, leaving 5 members outside the travel distance standard of ten miles in one zip code.
26. Gynecology, OB/GYN providers met the required standard for 99.3% of urban enrollees, leaving 6 members outside the travel distance standard of five miles in one zip code. The standard was met for 99.6% of suburban enrollees, leaving 4 members outside the travel distance standard of ten miles in one zip code.
27. Neurology providers met the required standard for 99.3% of urban enrollees, leaving 6 members outside the travel distance standard of ten miles in one zip code.
28. Oncology - medical and surgical providers met the required standard for 99.3% of urban enrollees, leaving 6 members outside the travel distance standard of ten miles in one zip code.
29. Oncology - radiation/radiation oncology providers met the required standard for 99.3% of urban enrollees, leaving 6 members outside the travel distance standard of fifteen miles in one zip code.
30. Ophthalmology providers met the required standard for 99.3% of urban enrollees, leaving 6 members outside the travel distance standard of ten miles in one zip code.
31. Pediatrics - routine/primary care providers met the required standard for 99.3% of urban enrollees, leaving 6 members outside the travel distance standard of five miles in one zip code.

32. Urology providers met the required standard for 99.3% of urban enrollees, leaving 6 members outside the travel distance standard of ten miles in one zip code.
33. Acute inpatient hospital facilities met the required standard for 97.1% of urban enrollees, leaving 26 members outside the travel distance standard of ten miles in two zip codes.
34. Diagnostic radiology facilities met the required standard for 99.3 % of urban enrollees, leaving 6 members outside the travel distance standard of ten miles in one zip code.
35. Inpatient psychiatric facilities met the required standard for 99.6% of suburban enrollees, leaving 4 members outside the travel distance standard of forty-five miles in two zip codes.
36. Outpatient dialysis facilities met the required standard for 99.3% of urban enrollees, leaving 6 members outside the travel distance standard of ten miles in one zip code.
37. Skilled nursing facilities met the required standard for 99.3% of urban enrollees, leaving 6 members outside the travel distance standard of ten miles in one zip code.
38. Surgical services (outpatient or ambulatory surgical center) facilities met the required standard for 99.8% of urban enrollees, leaving 2 members outside the travel distance standard of ten miles in one zip code.
39. Other behavioral health/substance abuse facilities met the required standard for 99.1% of urban enrollees, leaving 8 members outside the travel distance standard of ten miles in two zip codes.

UHCMA 2019 Access Plan Consent Order

On April 19, 2021, the Administration and UHCMA entered into a Consent Order to resolve matters related to the UHCMA 2019 Access Plans. In 2019, UHCMA filed access plans for two networks, the Choice/Choice Plus network and the Core/Navigate network. The Administration had concluded in the Consent Order that UHCMA violated § 15-112 of the Insurance Article and COMAR 31.10.44.03C by filing access plans that failed to comply with certain required travel distance standards and appointment waiting time standards and by failing to demonstrate that at least thirty percent of the available essential community providers in each of the urban, rural, and suburban areas are included in each of the networks. The Administration imposed an administrative penalty on UHCMA of \$40,000 for the violations, but suspended the penalty pending the Administration's (i) review of the access plans submitted by UHCMA in 2021, including a consideration of any waiver requested by UHCMA as permitted by COMAR 31.10.44.07; (ii) determination as to whether the 2021 access plans substantiate representations made by UHCMA related to its intent to improve its compliance with the access standards; (iii) review of all evidence submitted by UHCMA demonstrating good faith efforts to meet all applicable standards; and (iv) based on such review and determination, decision on whether the administrative penalty should be paid, reduced, or rescinded. The Consent Order also provided

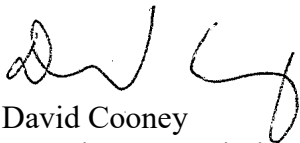
that a waiver granted to UHCMA related to the 2021 access plans may be considered a demonstration of UHCMA's improvement of the same standard when the Administration makes its decision on whether the administrative penalty should be paid, reduced, or rescinded.

The data reported in the UHCMA 2020 Access Plans demonstrated that UHCMA met the requirement that at least 30 percent of the available essential community providers in each of the urban, rural, and suburban areas are included in the three networks and this information was included in the executive summaries. UHCMA has improved compliance with the appointment waiting time standards. The 72-hour standard for urgent care was met for only 92% of enrollees in 2019 and improved to being met for 100% of enrollees in 2020. The UHCMA 2020 Access Plan data shows improved compliance with the travel distance standards. In 2019, UHCMA reported twenty-three categories where the travel distance standards were not met for both the Choice/Choice Plus network and the Core/Navigate network. In 2020, the Choice/Choice Plus network included nineteen deficient categories, the Core network had twenty-two, and the Navigate network had only five categories where the distance standard was not met. However, while in 2019 all deficiencies were within 99%, the percentages met for two categories dropped below 99% in 2020 (Core network-inpatient psychiatric facilities, urban, 97.1%; and Navigate network-applied behavioral analyst, suburban, 98.1%).

The UHCMA 2020 Access Plans show some improvement in compliance with the access standards, but there continue to be areas where the travel distance standards are not met, as noted above. Additionally, UHCMA's description of its methodology for measuring the appointment waiting time standard, including how telehealth appointments were accounted for in the calculation, lacked detail and specificity in certain areas. Further clarification of the methodology will be expected with respect to the UHCMA 2021 Access Plans, which were submitted on July 1, 2021, and are currently under review by the Administration. Upon completion of the review, a determination will be made on whether the administrative penalty should be paid, reduced, or rescinded.

UHCMA has the right to request a hearing on this determination letter in accordance with § 2-210 of the Insurance Article. A request for a hearing must be made in writing and received by the Administration within thirty (30) days of the date of this letter. The rules for requesting a hearing are set forth in COMAR 31.02.01.

Very truly yours,



David Cooney
Associate Commissioner
Life and Health