



2016 Report on the Health Care Appeals &
Grievance Law

MSAR #6

Al Redmer, Jr.
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TABLE OF CONTENTS

Background	3
Adverse Decisions	4
Grievance Decisions	6
Complaints	8
Conclusions	9
Appendix 1- Adverse Decisions by Carrier	11
Appendix 2- Grievance Decisions by Carrier	15
Appendix 3- Dispositions of Carrier Grievance Decisions	20
Appendix 4- Grievance Decisions by Carrier for Hospital Length of Stay	23
Appendix 5- Time Frame for Rendering a Grievance Decision by Carrier, Emergency Cases	24
Appendix 6- Time Frame for Rendering a Grievance Decision by Carrier, Non-Emergency Cases	25
Appendix 7- Internal Grievances Filed Considered Emergency Cases as Reported by Carrier	27
Appendix 8- Administration Complaints	28
Appendix 9- Summaries of Appeals and Grievances Orders	30

Background

In 1998, the Appeals and Grievance Law was enacted by the General Assembly to provide a full and fair process for resolving disputes regarding the medical necessity of a proposed or delivered health care service (See Title 15, Subtitle 10A of the Insurance Article). Until July 1, 2011, the Appeals and Grievance law applied only to individuals with insured health benefits.¹ However, effective July 1, 2011, the Department of Budget and Management for the State of Maryland and effective June 28, 2013, Cecil County Public Schools voluntarily elected to use the Maryland Insurance Administration's external review process to provide external review for their self-funded employee health benefit plans.

When the Appeals and Grievance Law was enacted, the percentage of the population under the age of 65 with insured health benefits (42.8 percent) slightly exceeded the percentage of the population under the age of 65 with other employment based health benefits (37.9 percent). Other employment based health benefit plans include self-insured health benefit plans and the Federal Employees Health Benefit Plan (FEHBP). By 2016, the percentage of the population under the age of 65 with insured health benefits declined to 19.9 percent.²

The Appeals and Grievance process begins when a carrier renders an "adverse decision," a determination that a proposed or delivered health care service is not medically necessary, appropriate or efficient. The member, the member's representative, or the treating provider on behalf of the member has the right to protest this decision through the carrier's internal review process. When the member files a protest with the carrier, this is a "grievance." If the carrier again determines the proposed or delivered health care service is not medically necessary, the member may ask the Administration to review the carrier's grievance decision by filing a "complaint".

The Appeals and Grievance Law gives the Administration the authority to contract with an Independent Review Organization (hereinafter referred to as the "IRO") to review these medical necessity complaints. When the Administration sends a complaint to an IRO for review, Maryland law requires that the review be performed by an unbiased provider in the same specialty as the area or areas appropriate to the subject of review. In addition, an IRO may not be a subsidiary of, or in any way be owned or controlled by, a health benefit plan, or a trade association of health benefit plans, or a trade association of health care providers. Based on the IRO's medical opinion, the Administration reaches a decision. If the complainant remains dissatisfied with the Administration's decision, he or she may request, in writing, a hearing to challenge the

¹ In 2016, approximately 2.94 million Maryland residents under the age of 65 had health insurance through a commercial health benefit plan.

² Maryland Insurance Administration Administration's 2016 Health Benefit Plan Covered Lives Report.

Administration's decision.³ Carriers do not have the right to an administrative hearing, but may file a petition for judicial review.

The Appeals and Grievance Law also requires carriers to submit quarterly reports to the Commissioner about their adverse decisions and grievance decisions. Specifically, carriers must provide to the Administration:

- The number of adverse decisions issued by the carrier;
- The outcome of each grievance filed with the carrier;
- The number and outcomes of cases that were considered emergency cases;
- The time within which the carrier made a grievance decision on all other cases that were not considered emergency cases;
- The number of grievances filed with the carrier that resulted from an adverse decision involving length of stay for inpatient hospitalization as related to the medical procedure involved; and
- The number and outcome of all other cases that resulted from an adverse decision involving the length of stay for inpatient hospitalization.

These quarterly reports, coupled with the Administration's data regarding complaints, allows for a comprehensive year over year review of this process. This report summarizes the statistical information the Administration has compiled for adverse decisions, grievance decisions and complaints for 2016, noting changes in certain areas since 2013 for nonprofit health services plans, insurers and health maintenance organizations.

Adverse Decisions

Table 1 provides an overview of the number and type of adverse decisions carriers made in 2013 and 2016. More detailed information about adverse decisions made by each carrier is provided in Appendix 1 for 2016.

Carriers rendered 49,237 adverse decisions in 2016 and 27,410 in 2013, representing an increase of 79.6 percent over the four year period. Pharmacy services, dental services and the combined categories of laboratory and radiology services accounted for the majority of this increase. Adverse decisions for pharmacy services increased by 331.7 percent from 2013 to 2016 (3,181 in 2013 to 13,732 in 2016). Adverse decisions for dental services increased by 181.6 percent from 2013 to 2016 (4,371 in 2013 to 12,310 in 2016). Adverse decisions for laboratory, radiology services increased by 46.0 percent from 2013 to 2016 (7,891 in 2013 to 11,523 in 2016).

In 2016, three categories of services accounted for 76.3 percent of all adverse decisions: (1) pharmacy services, (2) dental services; and (3) the combined categories of laboratory, radiology services. In 2013, these same services accounted for 56.3 percent

³ The Memorandum of Understanding between the Maryland Department of Budget and Management does not provide State employees who are covered under a State of Maryland health benefit plan the right to a hearing to appeal the Maryland Insurance Administration's decision.

of all adverse decisions. In 2013, pharmacy services ranked fourth in terms of the percentage of all adverse decisions at 11.6 percent (3,181), while in 2016, pharmacy services ranked first at 27.9 percent of all adverse decisions (13,732).

Over the years, policymakers have expressed concern about denials of emergency room services and mental health services. While the data provided by carriers indicate that there are still relatively few adverse decisions for these two types of services (0.3 percent and 2.4 percent of all adverse decisions in 2016, respectively), there has been an increase in the number of adverse decisions for mental health services from 2013 to 2016. Adverse decisions for mental health services increased by 70.2 percent from 2013 to 2016 (687 in 2013 and 1,169 in 2016), while adverse decisions for emergency room services decreased by 41.9 percent from 2013 to 2016 (238 in 2013 and 139 in 2016).

Table 1: Adverse Decisions

MIA Category/Type of Service	2013		2016		Percent Change 2013-2016
	Number	Percent	Number	Percent	
Inpatient hospital services	1,722	6.3%	1,234	2.5%	-28.3%
Emergency room services	238	0.9%	139	0.3%	-41.6%
Mental health services	687	2.5%	1,169	2.4%	70.2%
Physician services	5,898	21.5%	5,993	12.2%	1.6%
Laboratory, radiology services	7,891	28.8%	11,523	23.4%	46.0%
Pharmacy services	3,181	11.6%	13,732	27.9%	331.7%
PT, OT, ST services (including inpatient rehab)	1,034	3.8%	878	1.8%	-15.1%
Skilled nursing facility	39	0.1%	52	0.1%	33.3%
Durable medical equipment	1,854	6.8%	1,145	2.3%	-38.2%
<i>Podiatry, dental, optometry, chiropractic</i>	4,371	15.9%	<i>Dental</i> ⁴ 12,310	25.0%	181.6%
Home health services	283	1.0%	403	0.8%	42.4%
<i>Other</i> ⁵	212	0.8%	<i>Obesity, IVF, Podiatry, Hearing and Vision</i> 659	1.3%	210.8%
Total	27,410		49,237		79.6%

⁴ In 2013, dental was included in a combined category with podiatry, optometry and chiropractic services. In 2016, due to a change in the quarterly reporting process, dental services are now reported as a separate category.

⁵ Outpatient hospital services, education services, and transportation.

Grievance Decisions

Table 2 provides an overview of the number and type of grievances carriers reviewed in 2013 and 2016. In 2013, there were 4,102 grievances, increasing to 5,598 in 2016, representing a 36.5 percent increase.

In 2013, the largest number of grievances reported involved the combined categories of podiatry, dental, optometry, and chiropractic services with a total of 912, while in 2016 dental services ranked third in terms of grievances filed with a total of 1,152.

The number of grievances reported by carriers increased for the combined categories of laboratory and radiology services (574 in 2013 to 1,468 in 2016), representing an increase of 155.7 percent. Also, grievances reported by carriers increased for pharmacy services (489 in 2013 to 1,714 in 2016), representing an increase of 250.5 percent. Significant declines reported during this same period involved inpatient hospital services (413 in 2013 to 137 in 2016), representing a decrease of 66.8 percent and mental health services (238 in 2013 to 136 in 2016), representing a decrease of 42.9 percent.

Table 2: Grievances

MIA Category/Type of Service	2013		2016		Percent Change 2013-2016
	Number	Percent	Number	Percent	
Inpatient hospital services	413	10.1%	137	2.4%	-66.8%
Emergency room services	214	5.2%	11	0.2%	-94.9%
Mental health services	238	5.8%	136	2.4%	-42.9%
Physician services	811	19.8%	660	11.8%	-18.6%
Laboratory, radiology services	574	14.0%	1468	26.2%	155.7%
Pharmacy services	489	11.9%	1714	30.6%	250.5%
PT, OT, ST services (including inpatient rehab)	95	2.3%	68	1.2%	-28.4%
Skilled nursing facility	10	0.2%	13	0.2%	0.3%
Durable medical equipment	209	5.1%	126	2.3%	-39.7%
<i>Podiatry, dental, optometry, chiropractic</i>	<i>912</i>	<i>22.2%</i>	<i>Dental 1152</i>	<i>20.6%</i>	<i>26.3%</i>
Home health services	23	0.6%	4	0.1%	-82.6%
<i>Other</i>	<i>114</i>	<i>2.8%</i>	<i>Obesity, IVF, Podiatry, Hearing and Vision 109</i>	<i>1.9%</i>	<i>-4.4%</i>
Total	4,102		5,598		

Table 3 describes how the number of grievances received by carriers compares to the number of adverse decisions that carriers made in 2013 and 2016. Grievances decreased as a percentage of adverse decisions from 2013 to 2016 (15.0 percent to 11.4 percent), in all categories with the exception of the combined categories of laboratory and radiology services. Carrier data illustrates that grievances pertaining to emergency room services decreased significantly from 2013 to 2016.

Table 3: Grievances as a percent of adverse decisions

MIA Category/Type of Service	2013	MIA Category/Type of Service	2016
Inpatient hospital services	24.0%	Inpatient hospital services	11.1%
Emergency room services	89.9%	Emergency room services	7.9%
Mental health services	34.6%	Mental health services	11.6%
Physician services	13.8%	Physician services	11.0%
Laboratory, radiology services	7.3%	Laboratory, radiology Services	12.7%
Pharmacy services	15.4%	Pharmacy services	12.5%
PT, OT, ST services (including inpatient rehab)	9.2%	PT, OT, ST services (including inpatient rehab)	7.7%
Skilled nursing facility	25.6%	Skilled nursing facility	25.0%
Durable medical equipment	11.3%	Durable medical equipment	11.0%
<i>Podiatry, dental, optometry, chiropractic</i>	20.9%	<i>Dental</i>	9.4%
Home health services	8.1%	Home health services	1.0%
<i>Other</i>	53.8%	<i>Obesity, IVF, Podiatry, Hearing and Vision</i>	16.5%
Total	15.0%	Total	11.4%

Table 4 compares how often carriers upheld their original decisions in 2013 and in 2016. More detailed information about grievance decisions for each carrier may be found in Appendices 2 and 3 for 2016. Carriers upheld adverse decisions 50.3 percent of the time in 2013 as compared to 45.8 percent in 2016, indicating that carriers were more likely to uphold an adverse decision in 2013 than in 2016.

Table 4: Grievance Decision

	2013		2016	
	Number	Percent	Number	Percent
Carrier upheld adverse decision	2,065	50.3%	2,564	45.8%
Carrier overturned adverse decision	1,850	45.1%	2,697	48.2%
Carrier modified original adverse decision	187	4.6%	337	6.0%
Total	4,102		5,598	

Complaints

Just as the number of grievance decisions increased between 2013 and 2016, the number of complaints filed with the Administration also increased in this time period. The Administration received 795 complaints in 2013 and 1,038 complaints in 2016, representing an increase of 30.6 percent. As summarized in Table 5, 32.1 percent of the complaints received in 2016 were outside of the Administration's jurisdiction, as were 31.3 percent of the complaints received in 2013. These non-jurisdiction cases included complaints filed by individuals covered under Medicare, Medicaid, the Federal Employee Health Benefit Plan, employer group self-funded plans, and contracts subject to the laws of states other than Maryland.

In 2013, the Administration modified or reversed the carrier's grievance decision (or the carrier reversed its own grievance decision during the course of the Administration's investigation) 55.8 percent of the time. In 2016, data indicates that the Administration reversed or modified the carrier's grievance decision (or the carrier reversed or modified their grievance decisions during the investigation) 66.7 percent of the time, representing a decrease in reversals of 19.5 percent. All of the reversals of the carriers' grievance decisions resulted in more benefits for Maryland consumers.

In 2016, the Administration issued 8 Orders and Consent Orders based on the medical necessity complaints which it received and imposed \$16,500 in administrative penalties. During this same year, the Administration recovered \$1,015,681 for complainants. By comparison, in 2013, the Administration issued 7 Orders and Consent Orders based on medical necessity complaints it received, and imposed \$25,500 in administrative penalties. During this same year, the Administration recovered \$597,433 for complainants under the Appeals and Grievance law. Since the enactment of the Appeals and Grievance law, the Administration has recovered just over 9.9 million dollars for complainants. Summaries of the Orders for 2016 are found in Appendix 9.

As noted above, in 2013, the Administration entered into an agreement with the Maryland Department of Budget and Management to perform the external review for the medical necessity type complaints filed by State employees. In 2013, the Administration entered into a similar agreement with Cecil County Public Schools to perform the same function. This meant that during 2016, State employees and Cecil County Public School employees could use the Administration's external review process for their medical necessity type complaints. Since 2011, the Administration has received over 400 complaints which involved denials based on medical necessity from State and Cecil County Public School employees.

Table 5 describes how the number of complaints filed with Administration in 2013 compares to the number of complaints filed in 2016.

Table 5: Complaints

	2013	2016	Percent Change
Total complaints received	795	1038	30.6%
No Jurisdiction	249	333	33.7%
Complaint withdrawn	6	11	83.3%
Insufficient Information to perform investigation	63	91	44.4%
No action required	63	106	68.3%
Referred to HEAU	58	68	17.2%
Complaints investigated by MIA	319	429	34.5%
Percent of total complaints investigated by the MIA	40.1%	41.3%	3%
Number of complaints carrier or MIA reversed or modified grievance decisions	178	286	60.7%
Percent of total complaints investigated by MIA where carrier or MIA reversed or modified grievance decisions	55.8%	66.7%	19.53%

Conclusion

Between 2013 and 2016, the number of adverse decisions increased by 79.6 percent, the number of grievance decisions increased by 36.5 percent and the number of medical necessity complaints investigated by the Administration increased by 3 percent.

Carriers rendered 47,878 adverse decisions in 2016 and 30,293 in 2013, representing an increase of 58.0 percent over the four year period. Between 2013 and 2016, there was a decrease in adverse decisions for the following four categories: (1) inpatient hospital services; (2) emergency room services; (3) physical therapy, occupational therapy and speech therapy services (PT, OT, ST services); and (4) durable medical equipment. Between 2013 and 2016, there was an increase in adverse decisions for the following four categories of service: (1) pharmacy services; (2) mental health services; (3) the combined categories of laboratory and radiology services; and (4) home health services. Between 2013 and 2016, the largest decline in the number of adverse decisions was for emergency room services and the largest increase in the number of adverse decisions was for pharmacy services.

Grievances decreased as a percentage of adverse decisions from 2013 to 2016 (15.0 percent to 11.4 percent), suggesting that consumers were more likely to take advantage of the carriers' internal grievance process in 2013 than in 2016. When consumers filed grievances regarding initial adverse decisions, carriers overturned their adverse decisions 48.2 percent of the time in 2016, compared to 45.1 percent in 2013. This suggests that carriers were less likely to reverse their original adverse decisions when consumers filed grievances in 2013 than in 2016.

In 2016, the Administration achieved a carrier reversal percentage of 66.7 percent for complaints that were investigated by the Administration. In 2016, the Administration recovered \$1,015,681 for complainants under the Appeals and Grievance Law. Since the Appeals and Grievance Law was enacted by the General Assembly, the Administration has recovered over 9.9 million dollars for complainants. The Appeals and Grievance Law remains an important protection for Maryland consumers, providing a fair and balanced process for resolving disputes regarding the medical necessity of proposed or delivered health care services.

**APPENDIX 1
ADVERSE DECISIONS BY CARRIER**

COMPANY NAME	ADVERSE DECISIONS		A. INPATIENT HOSPITAL SERVICES		B. EMERGENCY ROOM SERVICES	
	COMPANY TOTAL	% OF ALL COMPANIES	NUMBER	% TOTAL	NUMBER	% TOTAL
4 Ever Life Insurance Company	1	0.0%	1	100.0%	0	0.0%
Aetna Health Inc. (a Pennsylvania corporation)	269	0.5%	108	40.1%	0	0.0%
Aetna Life Insurance Company	304	0.6%	151	49.7%	0	0.0%
All Savers Insurance Company	332	0.7%	6	1.8%	0	0.0%
Ameritas Life Insurance Corp.	447	0.9%	0	0.0%	0	0.0%
CareFirst BlueChoice, Inc.	9673	19.6%	24	0.2%	15	0.2%
CareFirst of Maryland, Inc.	7887	16.0%	7	0.1%	89	1.1%
CIGNA Health and Life Insurance Company	6052	12.3%	214	3.5%	0	0.0%
Companion Life Insurance Company	2	0.0%	0	0.0%	0	0.0%
Connecticut General Life Insurance Company	26	0.1%	0	0.0%	0	0.0%
Coventry Health and Life Insurance Company	60	0.1%	12	20.0%	0	0.0%
Evergreen Health, Inc.	1991	4.0%	59	3.0%	0	0.0%
Golden Rule Insurance Company	23	0.0%	2	8.7%	0	0.0%
Group Hospitalization and Medical Services, Inc.	7541	15.3%	6	0.1%	29	0.4%
Guardian Life Ins Company of America	968	2.0%	0	0.0%	0	0.0%
Humana Insurance Company	1	0.0%	0	0.0%	0	0.0%
Kaiser Foundation Health Plan-Mid-Atlantic States, Inc.	646	1.3%	5	0.8%	0	0.0%
Kaiser Permanente Insurance Company	36	0.1%	4	11.1%	0	0.0%
Lincoln National Life Insurance Company	126	0.3%	0	0.0%	0	0.0%
MAMSI Life and Health Insurance Company	552	1.1%	37	6.7%	0	0.0%
Metropolitan Life Insurance Company	215	0.4%	0	0.0%	0	0.0%
National Health Insurance Company	29	0.1%	0	0.0%	0	0.0%
Optimum Choice, Inc.	1799	3.7%	169	9.4%	1	0.1%
Principal Life Insurance Company	142	0.3%	0	0.0%	0	0.0%
Reliance Standard Life Insurance Company	80	0.2%	0	0.0%	0	0.0%
Standard Insurance Company	34	0.1%	0	0.0%	0	0.0%
Sun Life Assurance Company of Canada	83	0.2%	0	0.0%	0	0.0%
Time Insurance Company	1	0.0%	0	0.0%	0	0.0%
Union Security Insurance Company	566	1.1%	0	0.0%	0	0.0%
United Concordia Insurance Company	2	0.0%	0	0.0%	0	0.0%
United Concordia Life and Health Insurance Company	1019	2.1%	0	0.0%	0	0.0%
United States Life Ins. Co. in the City of New York	1	0.0%	1	100.0%	0	0.0%
UnitedHealthcare Insurance Company	7563	15.4%	362	4.8%	4	0.1%
UnitedHealthcare of the Mid-Atlantic, Inc.	766	1.6%	66	8.6%	1	0.1%
Total	49237	100.00%	1234	2.5%	139	0.3%

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ADVERSE DECISIONS BY CARRIER**

COMPANY NAME	C. MENTAL HEALTH SERVICES		D. PHYSICIAN SERVICES		E. LABORATORY, RADIOLOGY SERVICES	
	NUMBER	% TOTAL	NUMBER	% TOTAL	NUMBER	% TOTAL
4 Ever Life Insurance Company	0	0.0%	0	0.0%	0	0.0%
Aetna Health Inc. (a Pennsylvania corporation)	25	9.3%	57	21.2%	0	0.0%
Aetna Life Insurance Company	24	7.9%	47	15.5%	0	0.0%
All Savers Insurance Company	2	0.6%	16	4.8%	30	9.0%
Ameritas Life Insurance Corp.	0	0.0%	0	0.0%	0	0.0%
CareFirst BlueChoice, Inc.	294	3.0%	1998	20.7%	2899	30.0%
CareFirst of Maryland, Inc.	398	5.0%	764	9.7%	1197	15.2%
CIGNA Health and Life Insurance Company	100	1.7%	1039	17.2%	3461	57.2%
Companion Life Insurance Company	0	0.0%	0	0.0%	0	0.0%
Connecticut General Life Insurance Company	0	0.0%	17	65.4%	9	34.6%
Coventry Health and Life Insurance Company	2	3.3%	5	8.3%	16	26.7%
Evergreen Health, Inc.	27	1.4%	130	6.5%	208	10.4%
Golden Rule Insurance Company	1	4.3%	3	13.0%	12	52.2%
Group Hospitalization and Medical Services, Inc.	132	1.8%	532	7.1%	1282	17.0%
Guardian Life Ins Company of America	0	0.0%	0	0.0%	0	0.0%
Humana Insurance Company	0	0.0%	0	0.0%	0	0.0%
Kaiser Foundation Health Plan-Mid-Atlantic States, Inc.	19	2.9%	332	51.4%	23	3.6%
Kaiser Permanente Insurance Company	0	0.0%	16	44.4%	7	19.4%
Lincoln National Life Insurance Company	0	0.0%	0	0.0%	0	0.0%
MAMSI Life and Health Insurance Company	10	1.8%	54	9.8%	35	6.3%
Metropolitan Life Insurance Company	0	0.0%	0	0.0%	0	0.0%
National Health Insurance Company	0	0.0%	8	27.6%	7	24.1%
Optimum Choice, Inc.	25	1.4%	241	13.4%	501	27.8%
Principal Life Insurance Company	0	0.0%	0	0.0%	0	0.0%
Reliance Standard Life Ins Company	0	0.0%	0	0.0%	0	0.0%
Standard Insurance Company	0	0.0%	0	0.0%	0	0.0%
Sun Life Assurance Company of Canada	0	0.0%	0	0.0%	0	0.0%
Time Insurance Company	0	0.0%	0	0.0%	0	0.0%
Union Security Insurance Company	0	0.0%	0	0.0%	0	0.0%
United Concordia Insurance Company	0	0.0%	0	0.0%	0	0.0%
United Concordia Life and Health Insurance Company	0	0.0%	0	0.0%	0	0.0%
United States Insurance Company in the City of New York	0	0.0%	0	0.0%	0	0.0%
UnitedHealthcare Insurance Company	97	1.3%	576	7.6%	1519	20.1%
UnitedHealthcare of the Mid-Atlantic, Inc.	13	1.7%	158	20.6%	317	41.4%
Total	1169	2.4%	5993	12.2%	11523	23.4%

**APPENDIX 1
ADVERSE DECISIONS BY CARRIER**

COMPANY NAME	F. PHARMACY SERVICES		G. PT, OT, ST SERVICES (incl INPAT REHAB)		H. SKILLED NURS FAC, Sub Acute, Nurs Home	
	NUMBER	% TOTAL	NUMBER	% TOTAL	NUMBER	% TOTAL
4 Ever Insurance Company	0	0.0%	0	0.0%	0	0.0%
Aetna Health Inc. (a Pennsylvania corporation)	68	25.3%	3	1.1%	7	2.6%
Aetna Life Insurance Company	68	22.4%	3	1.0%	10	3.3%
All Savers Insurance Company	275	82.8%	0	0.0%	0	0.0%
Ameritas Life Insurance Corp	0	0.0%	0	0.0%	0	0.0%
CareFirst BlueChoice, Inc.	3582	37.0%	267	2.8%	12	0.1%
CareFirst of Maryland, Inc.	1346	17.1%	376	4.8%	3	0.0%
CIGNA Health and Life Insurance Company	653	10.8%	13	0.2%	4	0.1%
Companion Life Insurance Company	0	0.0%	0	0.0%	0	0.0%
Connecticut General Life Insurance Company	0	0.0%	0	0.0%	0	0.0%
Coventry Health and Life Insurance Company	18	30.0%	1	1.7%	0	0.0%
Evergreen Health, Inc.	1352	67.9%	83	4.2%	1	0.1%
Golden Rule Insurance Company	1	4.3%	2	8.7%	2	8.7%
Group Hospitalization and Medical Services, Inc.	1265	16.8%	33	0.4%	1	0.0%
Guardian Life Ins Company of America	0	0.0%	0	0.0%	0	0.0%
Humana Insurance Company	0	0.0%	0	0.0%	0	0.0%
Kaiser Foundation Health Plan-Mid-Atlantic States, Inc.	0	0.0%	29	4.5%	8	1.2%
Kaiser Permanente Insurance Company	0	0.0%	9	25.0%	0	0.0%
Lincoln National Life Insurance Company	0	0.0%	0	0.0%	0	0.0%
MAMSI Life and Health Insurance Company	382	69.2%	0	0.0%	0	0.0%
Metropolitan Life Insurance Company	0	0.0%	0	0.0%	0	0.0%
National Health Insurance Company	0	0.0%	0	0.0%	0	0.0%
Optimum Choice, Inc.	711	39.5%	35	1.9%	1	0.1%
Principal Life Insurance Company	0	0.0%	0	0.0%	0	0.0%
Reliance Standard Life Insurance Company	0	0.0%	0	0.0%	0	0.0%
Standard Insurance Company	0	0.0%	0	0.0%	0	0.0%
Sun Life Assurance Company of Canada	0	0.0%	0	0.0%	0	0.0%
Time Insurance Company	0	0.0%	1	100.0%	0	0.0%
Union Security Insurance Company	0	0.0%	0	0.0%	0	0.0%
United Concordia Insurance Company	0	0.0%	0	0.0%	0	0.0%
United Concordia Life and Health Insurance Company	0	0.0%	0	0.0%	0	0.0%
United States Ins. Co. in the City of New York	0	0.0%	0	0.0%	0	0.0%
UnitedHealthcare Insurance Company	3895	51.5%	16	0.2%	3	0.0%
UnitedHealthcare of the Mid-Atlantic, Inc.	116	15.1%	7	0.9%	0	0.0%
Total	13732	27.9%	878	1.8%	52	0.1%

**APPENDIX 1
ADVERSE DECISIONS BY CARRIER**

COMPANY NAME	I. DURABLE MEDICAL EQUIPMENT SERVICES		J. DENTAL		K. HOME HEALTH SERVICES		L. OBESITY, IVF, PODIATRY, HEARING AND VISION	
	NUMBER	% TOTAL	NUMBER	% TOTAL	NUMBER	% TOTAL	NUMBER	% TOTAL
4 Ever Insurance Company	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Aetna Health Inc. (a Pennsylvania corporation)	0	0.0%	0	0.0%	1	0.4%	0	0.0%
Aetna Life Insurance Company	1	0.3%	0	0.0%	0	0.0%	0	0.0%
All Savers Insurance Company	1	0.3%	0	0.0%	0	0.0%	2	0.6%
Ameritas Life Insurance Corp.	0	0.0%	447	100.00%	0	0.0%	0	0.0%
CareFirst BlueChoice, Inc.	400	4.1%	116	1.2%	39	0.4%	27	0.3%
CareFirst of Maryland, Inc.	248	3.1%	3374	42.8%	55	0.7%	30	0.4%
CIGNA Health and Life Insurance Company	190	3.1%	123	2.0%	252	4.2%	3	0.0%
Companion Life Insurance Company	0	0.0%	2	100.0%	0	0.0%	0	0.0%
Connecticut General Life Insurance Company	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Coventry Health and Life Ins. Company	4	6.7%	0	0.0%	2	3.3%	0	0.0%
Evergreen Health, Inc.	55	2.8%	45	2.3%	21	1.1%	10	0.5%
Golden Rule Insurance Company	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Group Hospitalization and Medical Serv. Inc.	100	1.3%	4149	55.0%	7	0.1%	5	0.1%
Guardian Life Insurance Co. of America	0	0.0%	968	100.0%	0	0.0%	0	0.0%
Humana Insurance Company	0	0.0%	1	100.0%	0	0.0%	0	0.0%
Kaiser Foundation Health Plan Mid-Atlantic States, Inc.	73	11.3%	0	0.0%	3	0.5%	154	23.8%
Kaiser Permanente Insurance Company	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Lincoln National Life Insurance Company	0	0.0%	126	100.0%	0	0.0%	0	0.0%
MAMSI Life and Health Insurance Company	7	1.3%	4	0.7%	3	0.5%	20	3.6%
Metropolitan Life Insurance Company	0	0.0%	215	100.0%	0	0.0%	0	0.0%
National Health Insurance Company	1	3.4%	0	0.0%	0	0.0%	13	44.8%
Optimum Choice, Inc.	14	0.8%	28	1.6%	2	0.1%	71	3.9%
Principal Life Insurance Company	0	0.0%	142	100.0%	0	0.0%	0	0.0%
Reliance Standard Life Insurance Company	0	0.0%	80	100.0%	0	0.0%	0	0.0%
Standard Insurance Company	0	0.0%	34	100.0%	0	0.0%	0	0.0%
Sun Life Assurance Company of Canada	0	0.0%	83	100.0%	0	0.0%	0	0.0%
Time Insurance Company	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Union Security Insurance Company	0	0.0%	566	100.0%	0	0.0%	0	0.0%
United Concordia Insurance Company	0	0.0%	2	100.0%	0	0.0%	0	0.0%
United Concordia Life and Health Ins. Company	0	0.0%	1019	100.0%	0	0.0%	0	0.0%
United States Ins. Co. in the City of New York	0	0.0%	0	0.0%	0	0.0%	0	0.0%
UnitedHealthcare Insurance Company	39	0.5%	782	10.3%	11	0.1%	259	3.4%
UnitedHealthcare of the Mid-Atlantic, Inc.	12	1.6%	4	0.5%	7	0.9%	65	8.5%
Total	1145	2.3%	12310	25.0%	403	0.8%	659	1.3%

**APPENDIX 2
GRIEVANCE DECISIONS BY CARRIER**

NAIC#	COMPANY NAME	GRIEVANCES FILED		A. INPATIENT HOSPITAL SERVICES		B. EMERGENCY ROOM SERVICES	
		COMPANY TOTAL	% OF ALL COMPANIES	NUMBER	% TOTAL	NUMBER	% TOTAL
95109	Aetna Health Inc. (a Pennsylvania corporation)	202	3.6%	36	17.8%	0	0.0%
60054	Aetna Life Insurance Company	172	3.0%	26	15.1%	0	0.0%
82406	All Savers Insurance Company	22	0.4%	1	4.5%	0	0.0%
61301	Ameritas Life Insurance Corp.	42	0.8%	0	0.0%	0	0.0%
96202	CareFirst BlueChoice, Inc.	1178	21.0%	7	0.6%	6	0.5%
47058	CareFirst of Maryland, Inc.	355	6.3%	1	0.3%	0	0.0%
67369	CIGNA Health and Life Ins Company	695	12.4%	29	4.2%	0	0.0%
77828	Companion Life Insurance Company	2	0.0%	0	0.0%	0	0.0%
62308	Connecticut General Life Ins Company	3	0.1%	0	0.0%	0	0.0%
81973	Coventry Health and Life Ins. Company	7	0.1%	3	42.9%	0	0.0%
15090	Evergreen Health, Inc.	302	5.4%	20	6.6%	0	0.0%
62286	Golden Rule Insurance Company	5	0.1%	0	0.0%	0	0.0%
53007	Group Hospitalization and Medical Services, Inc.	592	10.6%	3	0.5%	2	0.3%
64211	Guarantee Trust Life Insurance Company	1	0.0%	1	100.0%	0	0.0%
64246	Guardian Life Insurance Company of America	402	7.2%	0	0.0%	0	0.0%
95639	Kaiser Foundation Health Plan-Mid-Atlantic States, Inc.	25	0.4%	1	4.0%	0	0.0%
60053	Kaiser Permanente Insurance Company	12	0.2%	0	0.0%	0	0.0%
60321	MAMSI Life and Health Ins Company	86	1.5%	0	0.0%	0	0.0%
65978	Metropolitan Life Insurance Company	20	0.4%	0	0.0%	0	0.0%
96940	Optimum Choice, Inc.	166	3.0%	4	2.4%	3	1.8%
61271	Principal Life Insurance Company	25	0.4%	0	0.0%	0	0.0%
68381	Reliance Standard Life Ins. Company	5	0.1%	0	0.0%	0	0.0%
69019	Standard Insurance Company	6	0.1%	0	0.0%	0	0.0%
80802	Sun Life Assurance Company of Canada	25	0.4%	0	0.0%	0	0.0%
69477	Time Insurance Company	1	0.0%	0	0.0%	0	0.0%
70408	Union Security Insurance Company	19	0.3%	0	0.0%	0	0.0%
85766	United Concordia Insurance Company	1	0.0%	0	0.0%	0	0.0%
62294	United Concordia Life and Health Insurance Company	231	4.1%	0	0.0%	0	0.0%
70106	United States Ins. Co. in the City of New York	1	0.0%	1	100.0%	0	0.0%
79413	UnitedHealthcare Insurance Company	876	15.6%	4	0.5%	0	0.0%
95025	UnitedHealthcare of the Mid-Atlantic, Inc.	119	2.1%	0	0.0%	0	0.0%
	TOTAL	5598	100.00%	137	2.4%	11	0.2%

**APPENDIX 2
GRIEVANCE DECISIONS BY CARRIER**

NAIC#	COMPANY NAME	C. MENTAL HEALTH SERVICES		D. PHYSICIAN SERVICES		E. LABORATORY, RADIOLOGY SERVICES	
		NUMBER	% TOTAL	NUMBER	% TOTAL	NUMBER	% TOTAL
95109	Aetna Health Inc. (a Pennsylvania corporation)	11	5.4%	127	62.9%	19	9.4%
60054	Aetna Life Insurance Company	6	3.5%	116	67.4%	17	9.9%
82406	All Savers Insurance Company	3	13.6%	2	9.1%	6	27.3%
61301	Ameritas Life Insurance Corp.	0	0.0%	0	0.0%	0	0.0%
96202	CareFirst BlueChoice, Inc.	1	0.1%	118	10.0%	491	41.7%
47058	CareFirst of Maryland, Inc.	1	0.3%	12	3.4%	27	7.6%
67369	CIGNA Health and Life Insurance Company	30	4.3%	136	19.6%	410	59.0%
77828	Companion Life Insurance Company	0	0.0%	0	0.0%	0	0.0%
62308	Connecticut General Life Insurance Company	3	100.0%	0	0.0%	0	0.0%
81973	Coventry Health and Life Insurance Company	1	14.3%	0	0.0%	1	14.3%
15090	Evergreen Health, Inc.	10	3.3%	3	1.0%	18	6.0%
62286	Golden Rule Insurance Company	1	20.0%	0	0.0%	0	0.0%
53007	Group Hospitalization and Medical Services, Inc.	0	0.0%	39	6.6%	143	24.2%
64211	Guarantee Trust Life Insurance Company	0	0.0%	0	0.0%	0	0.0%
64246	Guardian Life Insurance Company of America	0	0.0%	0	0.0%	0	0.0%
95639	Kaiser Foundation Health Plan-Mid-Atlantic States, Inc.	3	12.0%	10	40.0%	0	0.0%
60053	Kaiser Permanente Insurance Company	0	0.0%	8	66.7%	2	16.7%
60321	MAMSI Life and Health Insurance Company	2	2.3%	10	11.6%	10	11.6%
65978	Metropolitan Life Insurance Company	0	0.0%	0	0.0%	0	0.0%
96940	Optimum Choice, Inc.	8	4.8%	7	4.2%	34	20.5%
61271	Principal Life Insurance Company	0	0.0%	0	0.0%	0	0.0%
68381	Reliance Standard Life Ins. Company	0	0.0%	0	0.0%	0	0.0%
69019	Standard Insurance Company	0	0.0%	0	0.0%	0	0.0%
80802	Sun Life Assurance Company of Canada	0	0.0%	0	0.0%	0	0.0%
69477	Time Insurance Company	0	0.0%	0	0.0%	0	0.0%
70408	Union Security Insurance Company	0	0.0%	0	0.0%	0	0.0%
85766	United Concordia Insurance Company	0	0.0%	0	0.0%	0	0.0%
62294	United Concordia Life and Health Insurance Company	0	0.0%	0	0.0%	0	0.0%
70106	United States Ins. Co. in the City of New York	0	0.0%	0	0.0%	0	0.0%
79413	UnitedHealthcare Insurance Company	49	5.6%	62	7.1%	255	29.1%
95025	UnitedHealthcare of the Mid-Atlantic, Inc.	7	5.9%	10	8.4%	35	29.4%
	TOTAL	136	2.4%	660	11.8%	1468	26.2%

**APPENDIX 2
GRIEVANCE DECISIONS BY CARRIER**

NAIC#	COMPANY NAME	F. PHARMACY SERVICES		G. PT. OT, ST SERVICES		H. SKILLED NURSING FACILITY, Sub Acute, Nursing Home	
		NUMBER	% TOTAL	NUMBER	% TOTAL	NUMBER	% TOTAL
95109	Aetna Health Inc. (a Pennsylvania corporation)	7	3.5%	0	0.0%	0	0.0%
60054	Aetna Life Insurance Company	2	1.2%	0	0.0%	1	0.6%
82406	All Savers Insurance Company	9	40.9%	0	0.0%	0	0.0%
61301	Ameritas Life Insurance Corp.	0	0.0%	0	0.0%	0	0.0%
96202	CareFirst BlueChoice, Inc.	481	40.8%	21	1.8%	3	0.3%
47058	CareFirst of Maryland, Inc.	213	60.0%	0	0.0%	1	0.3%
67369	CIGNA Health and Life Insurance Company	62	8.9%	5	0.7%	0	0.0%
77828	Companion Life Insurance Company	0	0.0%	0	0.0%	0	0.0%
62308	Connecticut General Life Insurance Company	0	0.0%	0	0.0%	0	0.0%
81973	Coventry Health and Life Ins. Company	0	0.0%	2	28.6%	0	0.0%
15090	Evergreen Health, Inc.	248	82.1%	2	0.7%	0	0.0%
62286	Golden Rule Insurance Company	1	20.0%	1	20.0%	2	40.0%
53007	Group Hospitalization and Medical Services, Inc.	190	32.1%	4	0.7%	1	0.2%
64211	Guarantee Trust Life Insurance Company	0	0.0%	0	0.0%	0	0.0%
64246	Guardian Life Insurance Co. of America	0	0.0%	0	0.0%	0	0.0%
95639	Kaiser Foundation Health Plan-Mid-Atlantic States, Inc.	0	0.0%	4	16.0%	4	16.0%
60053	Kaiser Permanente Insurance Company	0	0.0%	2	16.7%	0	0.0%
60321	MAMSI Life and Health Insurance Company	51	59.3%	3	3.5%	0	0.0%
65978	Metropolitan Life Insurance Company	0	0.0%	0	0.0%	0	0.0%
96940	Optimum Choice, Inc.	71	42.8%	4	2.4%	0	0.0%
61271	Principal Life Insurance Company	0	0.0%	0	0.0%	0	0.0%
68381	Reliance Standard Life Insurance Company	0	0.0%	0	0.0%	0	0.0%
69019	Standard Insurance Company	0	0.0%	0	0.0%	0	0.0%
80802	Sun Life Assurance Company of Canada	0	0.0%	0	0.0%	0	0.0%
69477	Time Insurance Company	0	0.0%	1	100.0%	0	0.0%
70408	Union Security Insurance Company	0	0.0%	0	0.0%	0	0.0%
85766	United Concordia Insurance Company	0	0.0%	0	0.0%	0	0.0%
62294	United Concordia Life and Health Ins Company	0	0.0%	0	0.0%	0	0.0%
70106	United States Ins. Co. in the City of New York	0	0.0%	0	0.0%	0	0.0%
79413	UnitedHealthcare Insurance Company	323	36.9%	19	2.2%	1	0.1%
95025	UnitedHealthcare of the Mid-Atlantic, Inc.	56	47.1%	0	0.0%	0	0.0%
	TOTAL	1714	30.6%	68	1.2%	13	0.2%

**APPENDIX 2
GRIEVANCE DECISIONS BY CARRIER**

NAIC#	COMPANY NAME	I. DURABLE MEDICAL EQUIPMENT SERVICES		J. DENTAL		K. HOME HEALTH SERVICES	
		NUMBER	% TOTAL	NUMBER	% TOTAL	NUMBER	% TOTAL
95109	Aetna Health Inc. (a Pennsylvania corporation)	2	1.0%	0	0.0%	0	0.0%
60054	Aetna Life Insurance Company	0	0.0%	4	2.3%	0	0.0%
82406	All Savers Insurance Company	0	0.0%	0	0.0%	0	0.0%
61301	Ameritas Life Insurance Corp.	0	0.0%	42	100.0%	0	0.0%
96202	CareFirst BlueChoice, Inc.	39	3.3%	7	0.6%	4	0.3%
47058	CareFirst of Maryland, Inc.	2	0.6%	98	27.6%	0	0.0%
67369	CIGNA Health and Life Insurance Company	9	1.3%	12	1.7%	0	0.0%
77828	Companion Life Insurance Company	0	0.0%	2	100.0%	0	0.0%
62308	Connecticut General Life Insurance Company	0	0.0%	0	0.0%	0	0.0%
81973	Coventry Health and Life Insurance Company	0	0.0%	0	0.0%	0	0.0%
15090	Evergreen Health, Inc.	0	0.0%	0	0.0%	0	0.0%
62286	Golden Rule Insurance Company	0	0.0%	0	0.0%	0	0.0%
53007	Group Hospitalization and Medical Services, Inc.	7	1.2%	203	34.3%	0	0.0%
64211	Guarantee Trust Life Insurance Company	0	0.0%	0	0.0%	0	0.0%
64246	Guardian Life Insurance Company of America	0	0.0%	402	100.0%	0	0.0%
95639	Kaiser Foundation Health Plan-Mid-Atlantic States, Inc.	1	4.0%	0	0.0%	0	0.0%
60053	Kaiser Permanente Insurance Company	0	0.0%	0	0.0%	0	0.0%
60321	MAMSI Life and Health Insurance Company	2	2.3%	3	3.5%	0	0.0%
65978	Metropolitan Life Insurance Company	0	0.0%	20	100.0%	0	0.0%
96940	Optimum Choice, Inc.	10	6.0%	0	0.0%	0	0.0%
61271	Principal Life Insurance Company	0	0.0%	25	100.0%	0	0.0%
68381	Reliance Standard Life Ins. Company	0	0.0%	5	100.0%	0	0.0%
69019	Standard Insurance Company	0	0.0%	6	100.0%	0	0.0%
80802	Sun Life Assurance Company of Canada	0	0.0%	25	100.0%	0	0.0%
69477	Time Insurance Company	0	0.0%	0	0.0%	0	0.0%
70408	Union Security Insurance Company	0	0.0%	19	100.0%	0	0.0%
85766	United Concordia Insurance Company	0	0.0%	1	100.0%	0	0.0%
62294	United Concordia Life and Health Insurance Company	0	0.0%	231	100.0%	0	0.0%
70106	United States Ins. Co. in the City of New York	0	0.0%	0	0.0%	0	0.0%
79413	UnitedHealthcare Insurance Company	49	5.6%	45	5.1%	0	0.0%
95025	UnitedHealthcare of the Mid-Atlantic, Inc.	5	4.2%	2	1.7%	0	0.0%
	TOTAL	126	2.3%	1152	20.6%	4	0.1%

**APPENDIX 2
GRIEVANCE DECISIONS BY CARRIER**

NAIC#	COMPANY NAME	L. OBESITY, IVF, PODIATRY, HEARING AND VISION	
		NUMBER	% TOTAL
95109	Aetna Health Inc. (a Pennsylvania corporation)	0	0.0%
60054	Aetna Life Insurance Company	0	0.0%
82406	All Savers Insurance Company	1	4.5%
61301	Ameritas Life Insurance Corp.	0	0.0%
96202	CareFirst BlueChoice, Inc.	0	0.0%
47058	CareFirst of Maryland, Inc.	0	0.0%
67369	CIGNA Health and Life Insurance Company	2	0.3%
77828	Companion Life Insurance Company	0	0.0%
62308	Connecticut General Life Insurance Company	0	0.0%
81973	Coventry Health and Life Insurance Company	0	0.0%
15090	Evergreen Health, Inc.	1	0.3%
62286	Golden Rule Insurance Company	0	0.0%
53007	Group Hospitalization and Medical Services, Inc.	0	0.0%
64211	Guarantee Trust Life Insurance Company	0	0.0%
64246	Guardian Life Insurance Company of America	0	0.0%
95639	Kaiser Foundation Health Plan-Mid-Atlantic States, Inc.	2	8.0%
60053	Kaiser Permanente Insurance Company	0	0.0%
60321	MAMSI Life & Health Insurance Company	5	5.8%
65978	Metropolitan Life Insurance Company	0	0.0%
96940	Optimum Choice, Inc.	25	15.1%
61271	Principal Life Ins. Company	0	0.0%
68381	Reliance Standard Life Ins. Company	0	0.0%
69019	Standard Insurance Company	0	0.0%
80802	Sun Life Assurance Company of Canada	0	0.0%
69477	Time Insurance Company	0	0.0%
70408	Union Security Insurance Company	0	0.0%
85766	United Concordia Insurance Company	0	0.0%
62294	United Concordia Life and Health Insurance Company	0	0.0%
70106	United States Ins. Co. in the City of New York	0	0.0%
79413	UnitedHealthcare Insurance Company	69	7.9%
95025	UnitedHealthcare of the Mid-Atlantic, Inc.	4	3.4%
	TOTAL	109	1.9%

**APPENDIX 3
DISPOSITION OF CARRIER GRIEVANCE DECISIONS**

NAIC #	COMPANY NAME	GRIEVANCES FILED		ORIGINAL DECISION OF INSURANCE COMPANY WAS...					
		COMPANY TOTAL	% OF ALL COMPANIES	UPHELD		OVERTURNED		MODIFIED	
				NUMBER	% TOTAL	NUMBER	% TOTAL	NUMBER	% TOTAL
95109	Aetna Health Inc. (a Pennsylvania corporation)	202	3.6%	128	63.4%	73	36.1%	1	0.5%
60054	Aetna Life Insurance Company	172	3.1%	113	65.7%	54	31.4%	5	2.9%
82406	All Savers Insurance Company	22	0.4%	9	40.9%	12	54.5%	1	4.5%
61301	Ameritas Life Insurance Corp.	42	0.8%	19	45.2%	17	40.5%	6	14.3%
96202	CareFirst BlueChoice, Inc.	1,178	21.0%	562	47.7%	595	50.5%	21	1.8%
47058	CareFirst of Maryland, Inc.	355	6.3%	140	39.4%	208	58.6%	7	2.0%
67369	CIGNA Health and Life Ins. Co.	695	12.4%	326	46.9%	356	51.2%	13	1.9%
77828	Companion Life Insurance Co.	2	0.0%	0	0.0%	2	100.0%	0	0.0%
62308	Connecticut General Life Ins. Co.	3	0.1%	3	100.0%	0	0.0%	0	0.0%
81973	Coventry Health and Life Ins. Co.	7	0.1%	3	42.9%	4	57.1%	0	0.0%
15090	Evergreen Health, Inc.	302	5.4%	123	40.7%	176	58.3%	3	1.0%
62286	Golden Rule Insurance Company	5	0.1%	3	60.0%	2	40.0%	0	0.0%
53007	Group Hospitalization and Medical Services, Inc.	592	10.6%	278	47.0%	289	48.8%	25	4.2%
64211	Guarantee Trust Life Insurance Co.	1	0.0%	1	100.0%	0	0.0%	0	0.0%
64246	Guardian Life Ins. Co. of America	402	7.2%	103	25.6%	111	27.6%	188	46.8%
95639	Kaiser Fndtn Health Plan Mid-Atlantic	25	0.4%	15	60.0%	10	40.0%	0	0.0%
60053	Kaiser Permanente Insurance Co.	12	0.2%	6	50.0%	6	50.0%	0	0.0%
60321	MAMSI Life and Health Ins. Co.	86	1.5%	39	45.3%	47	54.7%	0	0.0%
65978	Metropolitan Life Ins. Company	20	0.4%	13	65.0%	7	35.0%	0	0.0%
96940	Optimum Choice, Inc.	166	3.0%	70	42.2%	94	56.6%	2	1.2%

APPENDIX 3									
DISPOSITION OF CARRIER GRIEVANCE DECISIONS									
NAIC#	COMPANY NAME	GRIEVANCES FILED		ORIGINAL DECISION OF INSURANCE COMPANY WAS...					
		COMPANY TOTAL	% OF ALL COMPANIES	UPHELD		OVERTURNED		MODIFIED	
				NUMBER	% TOTAL	NUMBER	% TOTAL	NUMBER	% TOTAL
61271	Principal Life Insurance Company	25	0.4%	12	48.0%	11	44.0%	2	8.0%
68381	Reliance Standard Life Ins. Co.	5	0.1%	2	40.0%	3	60.0%	0	0.0%
69019	Standard Insurance Company	6	0.1%	4	66.7%	2	33.3%	0	0.0%
80802	Sun Life Assurance Co. of Canada	25	0.4%	11	44.0%	11	44.0%	3	12.0%
69477	Time Insurance Company	1	0.0%	0	0.0%	1	100.0%	0	0.0%
70408	Union Security Insurance Co.	19	0.3%	6	31.6%	8	42.1%	5	26.3%
85766	United Concordia Insurance Co.	1	0.0%	1	100.0%	0	0.0%	0	0.0%
62294	United Concordia Life and Health Ins. Co.	231	4.1%	135	58.4%	76	32.9%	20	8.7%
70106	United States Life Ins. Co. in the City of New York	1	0.0%	1	100.0%	0	0.0%	0	0.0%
79413	UnitedHealthcare Insurance Co.	876	15.6%	394	45.0%	456	52.1%	26	3.0%
95025	UnitedHealthcare of the Mid-Atlantic, Inc.	119	2.1%	44	37.0%	66	55.5%	9	7.6%
	Total	5598	100.0%	2564	45.8%	2697	48.2%	337	6.0%

**APPENDIX 4
GRIEVANCE DECISIONS BY CARRIER FOR HOSPITAL LENGTH OF STAY (“LOS”)**

NAIC#	COMPANY* NAME	HOSPITAL LOS	HOSPITAL LOS	UPHELD		OVERTURNED		MODIFIED	
		TOTAL*	OUTCOME**	Number	Percent	Number	Percent	Number	Percent
82406	All Savers Insurance Company	1	1	1	100.0%	0	0.0%	0	0.0%
96202	CareFirst BlueChoice, Inc.	4	2	0	0.0%	2	100.0%	0	0.0%
67369	CIGNA Health and Life Insurance Co.	8	3	0	0.0%	3	100.0%	0	0.0%
15090	Evergreen Health, Inc.	15	5	1	20.0%	4	80.0%	0	0.0%
53007	Group Hospitalization and Medical Services, Inc.	1	1	1	100.0%	0	0.0%	0	0.0%
64211	Guarantee Trust Life Insurance Company	1	1	1	100.0%	0	0.0%	0	0.0%
95639	Kaiser Fndtn Health Plan Mid-Atlantic	3	3	3	100.0%	0	0.0%	0	0.0%
96940	Optimum Choice, Inc.	2	2	2	100.0%	0	0.0%	0	0.0%
70106	United States Life Ins. Co. in the City of NY	1	1	1	100.0%	0	0.0%	0	0.0%
79413	UnitedHealthcare Insurance Company	5	3	2	66.7%	1	33.3%	0	0.0%
95025	UnitedHealthcare of the Mid-Atlantic, Inc.	1	1	0	0.0%	1	100.0%	0	0.0%

* This chart only includes those carriers who received grievances involving hospital length of stay during calendar year 2016.

** Represents the number of grievances that were resolved in calendar year 2016.

**APPENDIX 5
TIME FRAME FOR RENDERING A GRIEVANCE DECISION BY CARRIER EMERGENCY CASES**

NAIC#	COMPANY ** NAME	EMERGENCY CASES - RESOLUTION TIME*			
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
82406	All Savers Insurance Company	37.6	20	11	23
96202	CareFirst BlueChoice, Inc.	24	26.5	24	24
47058	CareFirst of Maryland, Inc.	24	24	24	24
67369	CIGNA Health and Life Insurance Company	26	6.1	24	64.3
15090	Evergreen Health, Inc.	76	22.5	12.3	0
53007	Group Hospitalization and Medical Services, Inc.	24	24	24	24
95639	Kaiser Foundation Health Plan-Mid-Atlantic	0	26	15.3	15.6
60321	MAMSI Life and Health Ins. Company	53	50	50	36
96940	Optimum Choice, Inc.	42.5	43	21	39
79413	UnitedHealthcare Insurance Company	42.9	38	22	23
95025	UnitedHealthcare of the Mid-Atlantic	68	25	20	24

**** This report only includes carriers who had grievances which were considered emergency cases during calendar year 2016.**

*** Reported as hours**

**APPENDIX 6
TIME FRAME FOR RENDERING A GRIEVANCE DECISION BY CARRIER, NON-EMERGENCY CASES**

NAIC#	COMPANY NAME	NON-EMERGENCY CASES - RESOLUTION TIME*			
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
95109	Aetna Health Inc. (a Pennsylvania corporation)	29	42.9	21.4	0
60054	Aetna Life Insurance Company	29	34.9	31.5	0
82406	All Savers Insurance Company	38.6	66	20	35
61301	Ameritas Life Insurance Corporation	14	14	1	12
96202	CareFirst BlueChoice, Inc.	33	28.5	28.5	31
47058	CareFirst of Maryland, Inc.	23.9	20.4	21.9	25.6
67369	CIGNA Health and Life Insurance Company	25	29	31	26
77828	Companion Life Insurance Company	0	0	6	0
62308	Connecticut General Life Insurance Company	29	0	0	0
81973	Coventry Health and Life Insurance Company	11	24	27	0
15090	Evergreen Health, Inc.	0.4	27.4	24	0
62286	Golden Rule Insurance Company	0	0	12	30
53007	Group Hospitalization and Medical Services, Inc.	34.1	27.4	23	31.9
64211	Guarantee Trust Life Insurance Company	0.4	0	0	0
64246	Guardian Life Insurance Company of America	3	3	3	3
95639	Kaiser Foundation Health Plan-Mid-Atlantic	38.5	27	35.7	35.7
60053	Kaiser Permanente Insurance Company	6.5	2	9	9
65676	Lincoln National Life Insurance	0	6.7	0	0
60321	MAMSI Life and Health Insurance Company	46	44	21	27
65978	Metropolitan Life Insurance Company	9.6	8.9	7.1	6.4
96940	Optimum Choice, Inc.	31.8	3	32	25
61271	Principal Life Insurance Company	19.2	16.5	12.5	24.6
68381	Reliance Standard Life Insurance Company	22	13	2.5	0
69019	Standard Insurance Company	3	11	18	0

APPENDIX 6					
TIME FRAME FOR RENDERING A GRIEVANCE DECISION BY CARRIER, NON-EMERGENCY CASES					
NAIC#	COMPANY NAME	NON-EMERGENCY CASES – RESOLUTION TIME*			
		1ST Quarter	2ND Quarter	3RD Quarter	4TH Quarter
80802	Sun Life Assurance Co. of Canada	12.2	19.5	23	0
69477	Time Insurance Company	10	0	0	0
70408	Union Security Insurance Company	9.6	4	20	13
62294	United Concordia Life and Health Insurance Co.	12.3	21.1	13.7	
70106	United States Insurance Co. in the City of New York	3	0	0	0
79413	UnitedHealthcare Insurance Company	51.3	48	31	30
95025	UnitedHealthcare of the Mid-Atlantic, Inc.	32.8	33	33	30

***Reported as Calendar Days**

**APPENDIX 7
INTERNAL GRIEVANCES FILED CONSIDERED EMERGENCY CASES AS REPORTED BY CARRIER**

NAIC#	COMPANY* NAME	*TOTAL NUMBER OF "EMERGENCIES" CASES	"EMERGENCIES"	UPHELD		OVERTURNED		MODIFIED	
			OUTCOME**	Number	Percent	Number	Percent	Number	Percent
82406	All Savers Insurance Company	7	7	1	14.3%	6	85.7%	0	0.0%
96202	CareFirst BlueChoice, Inc.	198	43	11	25.6%	32	74.4%	0	0.0%
47058	CareFirst of Maryland, Inc.	74	29	6	20.7%	23	79.3%	0	0.0%
67369	CIGNA Health and Life Ins. Co.	9	9	6	66.7%	1	11.1%	2	22.2%
15090	Evergreen Health, Inc.	45	12	5	41.7%	7	58.3%	0	0.0%
53007	Group Hospital and Med Serv, Inc.	88	25	7	28.0%	18	72.0%	0	0.0%
95639	Kaiser Fndtn Health Plan Mid-Atl	8	8	8	100.0%	0	0.0%	0	0.0%
60321	MAMSI Life and Health Ins. Co.	29	29	8	27.6%	21	72.4%	0	0.0%
96940	Optimum Choice, Inc.	45	45	15	33.3%	29	64.4%	1	2.2%
69078	Standard Security Life Ins. Of N.Y.	8	8	8	100.0%	0	0.0%	0	0.0%
79413	UnitedHealthcare Ins. Company	174	167	45	26.9%	121	72.5%	1	0.6%
95025	UnitedHealthcare of the Mid-Atl	42	42	7	16.7%	35	83.3%	0	0.0%
	Total	727	424	127	30.0%	293	69.1%	4	0.9%

*This chart only includes carriers who had grievances which were considered emergency cases during calendar year 2016.

** Represents the number of grievances that were resolved in calendar year 2016.

**APPENDIX 8
ADMINISTRATION COMPLAINTS**

Appeals and Grievance Statistics
Totals for Complaints Filed
January 1, 2016 – December 31, 2016

COMPLAINTS	1038
NO JURISDICTION	333
Referred to DBM/Cecil County	30
Referred to Department of Labor (ERISA plans)	141
Referred to Office of Personnel Management (Federal employee health benefit plans)	36
Referred to Medicaid	16
Referred to Medicare	18
Referred to Insurance Department in Another State	92
COMPLAINT WITHDRAWN	11
INSUFFICIENT INFORMATION TO COMPLETE INVESTIGATION	91
NO ACTION REQUIRED (includes non-medical necessity complaint cases transferred to Complaint Unit, duplicate files, inquiries)	106
REFERRED TO HEALTH, EDUCATION AND ADVOCACY UNIT (for complainants who had not exhausted the carrier's internal appeal process)	68
MIA CONDUCTED INVESTIGATION	429
MIA Decision Upheld Carrier	143
Carrier Reversed Itself During Investigation	206
MIA Reversed Carrier Decision	70
MIA Reversed Carrier Decision in Part and Upheld Carrier Decision in Part	10

Administration Complaints (Continued)

Carrier	COMPLAINTS INVESTIGATED		Carrier Upheld by MIA		Carrier Reversed by MIA		Carrier Modified by MIA		Carrier Reversed Itself During Investigation	
	Total	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Aetna Health, Inc. (a Pennsylvania corporation)	5	1%	2	40%	1	20%	0	0%	2	40%
Aetna Health Insurance Company	2	0%	2	100%	0	0%	0	0%	0	0%
Aetna Life Insurance Company	11	3%	3	27%	3	27%	0	0%	5	45%
Ameritas Life Insurance Company	1	0%	0	0%	0	0%	0	0%	1	100%
Carefirst BlueChoice, Inc.	87	20%	38	44%	19	22%	1	1%	29	33%
Carefirst of Maryland, Inc.	66	15%	24	36%	13	20%	2	3%	27	41%
CIGNA Health and Life Insurance Co.	23	5%	9	39%	4	17%	2	9%	8	35%
Coventry Health and Life Ins. Co.	1	0%	1	100%	0	0%	0	0%	0	0%
Coventry Health Care of DE, Inc.	1	0%	0	0%	0	0%	0	0%	1	100%
Delta Dental of Pennsylvania	3	1%	0	0%	0	0%	0	0%	3	100%
Dominion Dental Services, Inc.	2	0%	1	50%	0	0%	0	0%	1	50%
Evergreen Health, Inc.	20	5%	2	10%	0	0%	0	0%	18	90%
Express Scripts, Inc.	10	2%	2	20%	1	10%	0	0%	7	70%
Express Scripts Insurance Company	1	0%	0	0%	1	100%	0	0%	0	0%
Group Dental Service of Maryland, Inc.	1	0%	1	100%	0	0%	0	0%	0	0%
Group Hospital and Medical Services, Inc.	26	6%	10	38%	7	27%	0	0%	9	35%
Guardian Life Ins. Co. of America	10	2%	5	50%	0	0%	1	10%	4	40%
Kaiser Foundation Health Plan	11	3%	5	45%	0	0%	0	0%	6	55%
MAMSI Life and Health Insurance Co.	6	1%	1	17%	1	17%	1	17%	3	50%
National Health Insurance Company	1	0%	0	0%	0	0%	1	100%	0	0%
Optimum Choice, Inc.	13	3%	5	38%	0	0%	0	0%	8	62%
Principal Life Insurance Company	2	0%	0	0%	0	0%	0	0%	2	100%
Standard Insurance Company	1	0%	0	0%	0	0%	0	0%	1	100%
United Concordia Life and Health Ins. Co.	10	2%	2	20%	5	50%	0	0%	3	30%
UnitedHealthcare Ins. Company	85	20%	23	27%	11	13%	2	2%	49	58%
UnitedHealthcare of the Mid-Atlantic, Inc.	2	0%	0	0%	1	50%	0	0%	1	50%
UnitedHealthcare Life Insurance Co.	19	4%	5	26%	0	0%	0	0%	14	74%
UnitedHealthcare Services, Inc.	9	2%	2	22%	3	33%	0	0%	4	44%
TOTAL	429	100%	143	33%	70	16%	10	2%	206	48%

Administration Complaints (Continued)

Type of Procedure	Carrier Code**	Total	Carrier Upheld by MIA		Carrier Reversed by MIA		Carrier Modified by MIA		Carrier Reversed Itself During Investigation	
			Number	Percent	Number	Percent	Number	Percent	Number	Percent
Cosmetic	D	2	1	50%	1	50%	0	0%	0	0%
Denial of Hospital Days	A	14	7	50%	1	7%	0	0%	6	43%
Dental Care Services	J	64	19	30%	11	17%	3	5%	31	48%
Durable Medical Equipment	I	14	2	14%	1	7%	0	0%	11	79%
Emergency Room Denial	B	1	1	100%	0	0%	0	0%	0	0%
Emergency Treatment Denial	B	3	1	33%	0	0%	0	0%	2	67%
Experimental	D	59	37	63%	17	29%	1	2%	4	7%
Eye Care Services		1	1	100%	0	0%	0	0%	0	0%
Habilitative Service	G	1	0	0%	0	0%	0	0%	1	100%
Harvoni	F	2	1	50%	1	50%	0	0%	0	0%
In-Patient Rehabilitation	G	2	1	50%	1	50%	0	0%	0	0%
Lab, Imaging, Test Services	E	29	11	38%	5	17%	2	7%	11	38%
Laboratory Services		2	1	50%	0	0%	0	0%	1	50%
Medical Food		1	0	0%	0	0%	0	0%	1	100%
Mental Health Partial Hospitalization	L	5	3	60%	1	20%	0	0%	1	20%
Mental Health/Substance (Inpatient) Services	C	10	7	70%	1	10%	1	10%	1	10%
Mental Health/Substance (Outpatient) Services	C	8	4	50%	0	0%	1	13%	3	38%
Pharmacy Benefits	F	6	2	33%	0	0%	0	0%	4	67%
Pharmacy Services/Formulary Issues	F	144	26	18%	23	16%	2	1%	93	65%
Physician Services	D	48	16	33%	5	10%	0	0%	27	56%
Preventive Care		1	1	100%	0	0%	0	0%	0	0%
PT, OT, Speech Therapy Services	G	8	0	0%	1	13%	0	0%	7	88%
Skilled Nursing Facility Care Services	G	4	1	25%	1	25%	0	0%	2	50%
TOTAL		429	143		70		10		206	

Appendix 9
Summaries of Appeals and Grievance Orders

CIGNA Health and Life Insurance Company (“Cigna”)

Case No.: MIA-2016-01-007

Effective Date: January 7, 2016

Penalty: \$10,500.00

In response to a complaint received from a provider on behalf of a Cigna member asserting that Cigna improperly denied coverage for Applied Behavior Analysis (“ABA”) therapy services for the member, the Administration ordered Cigna to pay an administrative penalty of \$2,500.00 for violation of § 15-835(c) of the Insurance Article by making a determination of medical necessity for the treatment of autism that was not made in accordance with requirements of COMAR 31.10.39. The Administration ordered Cigna to pay an administrative penalty of \$2,500.00 for violation of § 15-10B-07 of the Insurance Article for failing to use a physician, or panel with at least one physician who is board certified in the same specialty as the treatment under review in its adverse decision. The Administration ordered Cigna to pay an administrative penalty of \$2,500.00 for violation of § 15-10B-09.1 of the Insurance Article for failing to use a physician or a panel with at least one physician who is board certified or eligible in the same specialty as the treatment under review, in its grievance decision. The Administration ordered Cigna to pay an administrative penalty of \$1,500.00 for violation of § 15-1005(c) of the Insurance Article for failing to timely issue a response to claims submitted by the provider. The Administration ordered Cigna to pay an administrative penalty of \$1,500.00 for violation of § 15-1005(f) of the Insurance Article for failing to pay interest on the payments on claims submitted by the provider.

Aetna Life Insurance Company (“Aetna”)

Case No.: MIA-2016-03-008

Effective Date: March 7, 2016

Penalty: \$2,500.00

The Administration ordered Aetna to pay an administrative penalty of \$2,500.00 for violation of § 15-10A-02(b)(2)(iv) for failing to render a final decision in writing on a grievance within 45 working days after the date on which the grievance was filed when the grievance involved a retrospective denial.

United Concordia Life & Health Insurance Company (“United Concordia”)

Case No.: MIA-2016-03-034

Effective Date: March 15, 2016

The Administration ordered United Concordia to submit revised criteria regarding “cracked tooth syndrome” that are objective, clinically valid, compatible with established principles of health care and flexible enough to allow for deviations from norms when justified on a case by case basis in accordance with § 15-10A-04(c)(3) of the Insurance Article.

UnitedHealthcare Insurance Company (“UnitedHealthcare”)

Case No.: MIA-2016-06-025

Effective Date: June 14, 2016

Penalty: \$2,500.00

The Administration ordered UnitedHealthcare to pay an administrative penalty of \$2,500.00 for violation of § 15-10A-02(b)(2)(iv) of the Insurance Article for failing to render a final decision in writing on a grievance with 45 working days after the date on which the grievance was filed when the grievance involved a retrospective denial.

Aetna Life Insurance Company (“Aetna”)

Case No.: MIA-2016-07-002

Effective Date: July 7, 2016

The Administration ordered Aetna to provide documentation to the Commissioner showing that it is no longer relying on private review criteria and standards regarding the use of the prescription medication Valcyte (“Valganciclovir”) for members with both human immunodeficiency virus and cytomegalovirus colitis, that are not clinically valid, not compatible with established principles of health care and not flexible enough to allow for deviations from norms when justified on a case by case basis in accordance with § 15-10A-04(c)(3) of the Insurance Article.

CIGNA Health and Life Insurance Company (“Cigna”)

Case No.: MIA-2016-08-002

Effective Date: August 1, 2016

The Administration ordered Cigna to provide documentation to the Commissioner showing that it is no longer relying on private review criteria and standards regarding the use of the medication Mekimist (“Tremetinib”) for members with a history of esthesioneuroblastoma, stage IV, that are not clinically valid, not compatible with established principles of health care and not flexible enough to allow for deviations from norms when justified on a case by case basis in accordance with § 15-10A-04(c)(3) of the Insurance Article.

CIGNA Health and Life Insurance Company (“Cigna”)

Case No.: MIA-2016-08-003

Effective Date: August 1, 2016

The Administration ordered Cigna to provide documentation to the Commissioner showing that it is no longer relying on private review criteria and standards regarding the use of the prescription medication Otezla for treatment of members with the member’s condition that are not objective, not clinically valid, not compatible with established principles of health care and not flexible enough to allow for deviations from norms when justified on a case by case basis in accordance with § 15-10A-04(c)(3) of the Insurance Article.

UnitedHealthcare Insurance Company (“UnitedHealthcare”)

Case No.: MIA-2016-09-031

Effective Date: September 22, 2016

Penalty: \$1,000.00

The Administration ordered UnitedHealthcare to pay an administrative penalty of \$500.00 for violation of § 15-1005(c) of the Insurance Article by failing to

transmit payment or notice of the status of the member's claim within 30 days of receipt and that the delay was without reason and therefore arbitrary and capricious based on all available information. The Administration ordered UnitedHealthcare to provide documentation to the Commissioner showing that it is no longer relying on private review criteria and standards regarding an attended polysomnography for evaluating a sleep disorder that are not clinically valid, not compatible with established principles of health care and not flexible enough to allow for deviations from norms when justified on a case by case basis in accordance with § 15-10A-04(c)(3) of the Insurance Article. The Administration ordered UnitedHealthcare to pay an administrative penalty of \$500.00 for violation of § 15-10B-06(a) of the Insurance Article failing to authorize or certify a nonemergency course of treatment for the member within 2 working days after receipt of the information necessary to make the determination.

UnitedHealthcare Insurance Company (“UnitedHealthcare”)

Case No.: 2016-09-031

Effective Date: February 24, 2016

Penalty: \$1,000.00

The Administration and UnitedHealthcare entered into a consent agreement wherein UnitedHealthcare consented to pay an administrative penalty of \$1,000.00 related to the Commissioner's findings concerning §§ 15-1005 and 15-10B-06 of the Insurance Article, and concurrent with signing the Consent Order, provide an assurance letter to the Administration memorializing that will use clinical criteria flexible enough to determine the medical necessity of attended polysomnography sleep studies, for members with the complainant's medical conditions, and that such determinations will be made on a member's case by case basis.