



HCMS
Harris County Medical Society

PRESIDENT
Bradford S. Patt, M.D.

June 12, 2015

Texas Department of Insurance
Attn: Commissioner David Mattax
PO Box 149104
Austin, Texas 78714-9104

Dear Commissioner Mattax:

On behalf of our more than 11,000 physician and medical school members, the Harris County Medical Society (HCMS) has deemed it necessary to file a complaint with the Texas Department of Insurance regarding the implementation and ongoing issues related to the UnitedHealthcare (UHC) Compass insurance marketplace product.

UHC initiated the insurance marketplace Compass product in Harris County, and Texas, on Jan. 1, 2015. Since that date, there have been ongoing issues that warrant the attention of the Texas Department of Insurance and the Centers for Medicare and Medicaid Services (CMS). Enclosed are emails HCMS has received from several physician group practices showing their frustrations and concerns for their patients related to the UHC Compass product. Concerns have been communicated to our local UHC contacts, but the issues stem from national systems and decisions. Hence, either the issues have not been addressed, or addressed very slowly.

It is our understanding that the UHC Compass network was developed using existing physicians from the UHC main "all payers" contract. Physicians received a letter informing if they were in the new UHC Compass product network (*exhibit #1*). Additionally, the network was rolled out as a HCA Hospital System **only** network.

Please keep the following information in mind when reviewing this complaint:

- Once consumers enroll and purchase their insurance exchange plan, they cannot change until the next insurance marketplace open enrollment period, which begins Oct. 1, 2015 and becomes effective on Jan. 1, 2016.

Summary of complaint issues:

- Network is exclusive to the HCA hospital system in Harris and surrounding counties. The narrow network was not organized appropriately prior to implementation. Exclusivity to one hospital systems was not communicated to physicians and UHC Compass actively recruited physicians who do not have privileges at HCA hospital facilities. (i.e., Baylor College of Medicine Physician Group and University of Texas-Houston Physician Group) (*Exhibits #1 & #2*).
- A high volume of claim denials were due to faulty network data. Physicians were in the Compass network directory thus existing patients moved to UHC Compass as a more reasonably priced product to find out after-the-fact that their physician was not in the Compass network (*Exhibit # 2*). Another scenario is a physician group that was in the network directory, thus existing patients moved to the Compass product, but were told they should not be in the network. It took four months to work out an agreement with UHC to get the issue resolved to an in network status (*Exhibit # 3*).

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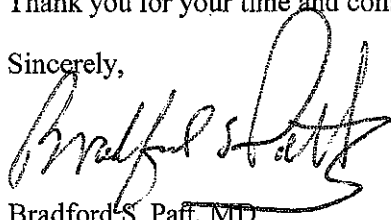
- HCMS staff was on a monthly national conference call with UHC on June 3rd in which UHC announced the highest claims denials have been with the Compass product. This confirmed to us that the implementation of the Compass product was not successful.
- Several oncology groups are still not “confirmed” as in or out of the network (*Exhibit #4*). The physicians continue to see the patients not knowing when or if they will get paid.
- UHC terminated its contract with an oncology group that had a Memorial Hermann agreement that had nothing to do with the UHC contract. This group was not exclusive to Memorial Hermann. UHC never contacted the group prior to termination of the contract. It took *five months* to straighten out this issue (*Exhibit #5*).
- Physicians listed in the directory under the wrong specialty. After numerous emails and phone calls issue not resolved (*Exhibit #3*).
- Long wait times adding physicians into group contracts, thus patients seeing these physicians are deemed as out of network when they want to be in network (*Exhibit #3*).
- Physician group informed they were in network and out of network several different times. Scheduled conference call with UHC Compass staff, the UHC staff never initiated the call. Took weeks to straighten out (*Exhibit #6*).
- UHC Compass staff were calling physician offices asking if they knew whether they were in network or not. This added to the confusion and frustration.

As you can see, the unsuccessful initial implementation of the UHC Compass product has had a negative effect on the consumers and physicians of Harris County. We ask that as Commissioner of the Texas Department of Insurance, the regulatory agency for UnitedHealthcare Compass product, to please investigate this situation, as we believe regulatory statutes have been violated.

If you have any questions, please contact Pat Harris, Senior Vice President, at 713-524-4267 or email at pat_harris@hcms.org. A list of contacts from physician groups is also attached.

Thank you for your time and consideration into this matter.

Sincerely,



Bradford S. Paff, MD

CC: Stephen J. Hemsley, CEO, UnitedHealth Group
 David S. Wichmann, Office of the Chief Executive, Pres. & CFO, UnitedHealth Group
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Enclosures