

No. 2017-4983

**OFFICIAL ORDER  
of the  
TEXAS COMMISSIONER OF INSURANCE**

Date: MAR 08 2017

**Subject Considered:**

**SHA, L.L.C.**  
12940 N. Highway 183  
Austin, Texas 78750

**CONSENT ORDER**  
TDI ENFORCEMENT FILE NO. 12176

**General remarks and official action taken:**

The commissioner of insurance considers whether disciplinary action should be taken against Sha, L.L.C. (SHA).

**WAIVER**

SHA acknowledges that the Texas Insurance Code and other applicable laws provide certain rights. SHA waives all of these rights and any other applicable procedural rights in consideration of the entry of this consent order.

**FINDINGS OF FACT**

1. TDI issued SHA basic service health maintenance organization (HMO) license number 94393, effective February 10, 1995.

**2016 Triennial Examination**

2. On May 12, 2016, TDI issued the SHA Triennial Quality of Care Official Examination Report. SHA was required to file five network access plans to address the deficiencies in their networks.
3. SHA's Corrective Action Plan response to TDI indicated that a detailed Access Plan Narrative for the approved service delivery area would be provided to TDI by July 31, 2016, and would include information on the specialties that didn't meet access standards.
4. SHA's network access plans weren't received by TDI until January 6, 2017. TDI approved the access plans on January 20, 2017.

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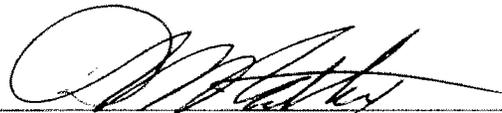
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5. SHA has a prior Commissioner Order No. 4652, dated September 9, 2016, for failing to take corrective action on deficiencies in a timely manner, and was assessed an \$80,000 administrative penalty.

**CONCLUSIONS OF LAW**

1. The commissioner has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 31.002; 82.051-82.055, 84.021-84.022, 401.055, 843.151; 28 TEX. ADMIN. CODE §§ 11.303(d)(6), and 11.1607; and TEX. GOV'T CODE §§ 2001.051-2001.178.
2. The commissioner has authority to informally dispose of this matter as set forth under TEX. GOV'T CODE § 2001.056, TEX. INS. CODE §§ 82.055 and 36.104, and 28 TEX. ADMIN. CODE § 1.47.
3. SHA violated 28 TEX. ADMIN. CODE § 11.303(d)(6) by failing to correct the deficiencies cited within its plan of correction within 90 days from receipt of the written examination report.
4. SHA violated TEX. INS. CODE § 843.151 and 28 TEX. ADMIN. CODE § 11.1607 because it failed to provide an adequate network sufficient to ensure enrollees had adequate access to health care services.

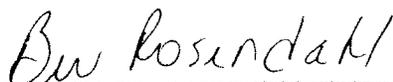
The commissioner orders SHA, L.L.C. to pay an administrative penalty of \$ 150,000 within 30 days from the date of this order. The administrative penalty must be paid by company check, cashier's check, or money order made payable to the "State of Texas." Mail the administrative penalty to the Texas Department of Insurance, Attn: Enforcement Section, Division 40111, MC 9999, P.O. Box 149104, Austin, Texas, 78714-9104.



David C. Mattax  
Commissioner of Insurance

~~By: Kevin Brady, Deputy Commissioner~~  
~~Delegation Order 4506~~

Approved as to Form and Content:



Bev Rosendahl, Staff Attorney  
Enforcement Section, Compliance Division  
Texas Department of Insurance

