

No. 2018-5346

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

Date: JAN 10 2018

**Subject Considered:**

**eQHEALTH SOLUTIONS, INC.**  
8591 United Plaza Blvd, Suite 270  
Baton Rouge, LA 70809

**CONSENT ORDER**  
TDI ENFORCEMENT FILE NO. 14541

**General remarks and official action taken:**

The commissioner of insurance considers whether disciplinary action should be taken against eQHealth Solutions, Inc. (eQHealth).

**WAIVER**

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

Pursuant to TEX. INS. CODE § 82.055(b), eQHealth agrees to this consent order with the express reservation that it does not admit to a violation of any provision of the Insurance Code or rule or regulation of the department and eQHealth maintains the existence of any violation is in dispute.

**FINDINGS OF FACT**

1. TDI certified eQHealth as a health utilization review agent, certification no. 1832468, on June 6, 2013. eQHealth's certification is current and expires on June 6, 2019.
2. On April 7, 2017, eQHealth filed a renewal application to their URA certification. The renewal requires the submission of template letters and an attestation that the URA is currently using the approved templates. The URA certification was renewed on April 13, 2017.

**Adverse Determination Templates**

3. In July 2017, MCQA selected eQHealth for a utilization review audit of adverse determination letters currently in use. MCQA randomly selected three utilization review case files and requested eQHealth to provide all of the issued initial adverse determination letters in those cases.
4. Review of the files revealed that in five instances, eQHealth was not using its most current adverse determination templates; templates previously approved by TDI.
5. eQHealth has represented to TDI that their most current adverse determination templates are now being used consistently and the issue has been resolved by eQHealth.

**CONCLUSIONS OF LAW**

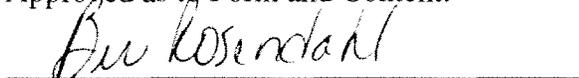
1. The commissioner has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 31.002, 82.051-82.055, 84.021-84.022, and 4201.303; 28 TEX. ADMIN. CODE § 19.1709; and TEX. GOV'T CODE §§ 2001.051-2001.178.
2. The commissioner has authority to informally dispose of this matter as set forth under TEX. GOV'T CODE § 2001.056, TEX. INS. CODE §§ 82.055 and 36.104, and 28 TEX. ADMIN. CODE § 1.47.
3. eQHealth violated TEX. INS. CODE § 4201.303 and 28 TEX. ADMIN. CODE § 19.1709 by using unapproved adverse determination templates.

The commissioner orders eQHealth Solutions, Inc. to pay an administrative penalty of \$8,000 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, Legal and Enforcement Division 60851, MC 9999, P.O. Box 149104, Austin, Texas, 78714-9104.



Kent C. Sullivan  
Commissioner of Insurance

Approved as to Form and Content:



Bev Rosendahl, Staff Attorney  
Enforcement Section  
Texas Department of Insurance

