

No. 2018-5390

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

Date: JAN 31 2018

Subject Considered:

NORTH TEXAS INNOVATIVE HEALTHCARE NETWORK INC.
5122 Pearl Drive
North Richland Hills, TX 76180

DEFAULT ORDER
TDI ENFORCEMENT CASE NO. 13214
SOAH DOCKET NO. 454-17-5915.C

General remarks and official action taken:

This Order is in consideration of whether disciplinary action should be taken against North Texas Innovative Healthcare Network Inc.

Findings of Fact

1. On December 8, 2006, TDI issued North Texas Innovative Healthcare Network Inc.'s workers' compensation health care network certificate no. 12135947.
2. TDI's computer records show that the last known mailing address provided in writing to TDI by North Texas Innovative Healthcare Network Inc. was 5122 Pearl Drive, North Richland Hills, TX 76180.
3. On August 29, 2017, TDI sent a notice of hearing to Dr. Ed Smith, North Texas Innovative Healthcare Network Inc., 5122 Pearl Drive, North Richland, Texas 76180, and by email to the address Respondent previously provided to TDI as the contact information.
4. On September 15, 2017, TDI sent a first amended notice of hearing to Dr. Ed Smith, North Texas Innovative Healthcare Network Inc., 5122 Pearl Drive, North Richland Hills, Texas 76180, and by email to the address Respondent previously provided to TDI as the contact information.
5. On November 9, 2017, TDI sent a second amended notice of hearing to Dr. Ed Smith, North Texas Innovative Healthcare Network Inc., 5122 Pearl Drive, North Richland Hills, Texas 76180, and by email to the address Respondent previously provided to TDI as the contact information.

6. North Texas Innovative Healthcare Network failed to file a written response to the notice of hearing, as well as the first and second amended notices of hearing, within 20 days of the date TDI mailed the notices of hearing.
7. The Texas Workers' Compensation Healthcare Network Act statute and rules require certified workers' compensation healthcare networks to file an annual quality improvement report, due March 1st, and an annual financial report, due April 1st.
8. From December, 2013, through 2017, TDI's Managed Care and Quality Assurance (MCQA) Office sent North Texas Innovative Healthcare Network annual reminders that it was required to file its annual quality improvement report and annual financial report.
9. On December 13, 2013, Dr. Ed Smith, President of North Texas Innovative Healthcare Network emailed the MCQA Office and explained "[t]he network remains inactive for the calendar year 2013. There are no covered employees and no services were provided during the calendar year 2013."
10. On March 15, 2017, the MCQA Office informed North Texas Innovative Healthcare Network that it must still respond with the status of its reports even if its network had no clients. Additionally, the MCQA put North Texas Innovative Healthcare Network on notice that TDI's Enforcement Section would be contacted if it did not respond.
11. North Texas Innovative Healthcare Network has not responded to the MCQA Office's requests for updated information. The telephone numbers that North Texas Innovative Healthcare Network Inc. provided to the MCQA Office are no longer working numbers. North Texas Innovative Healthcare Network, Inc. has not replied to email correspondence from the MCQA Office.
12. From 2013 through 2017, North Texas Innovative Healthcare Network did not file its annual quality improvement reports or its annual financial reports as required by the Workers' Compensation Healthcare Network Act statute and rules.

Conclusions of Law

1. The commissioner has jurisdiction pursuant to TEX. INS. CODE §§ 82.051-82.055, 1305.301-1305.552; 28 TEX. ADMIN. CODE §§ 10.1-10.27; and 10.81; and TEX. GOV'T CODE §§ 2001.051-2001.178.
2. TEX. GOV'T CODE § 2001.056; TEX. INS. CODE § 82.055; and 28 TEX. ADMIN. CODE §§ 1.47, 1.88, and 1.89 give the commissioner authority to informally dispose of this case.
3. Based on 28 TEX. ADMIN. CODE § 19.906, North Texas Innovative Healthcare Network's last known address is presumed to be Dr. Ed Smith, North Texas Innovative Healthcare Network Inc., 5122 Pearl Drive, North Richland Hills, Texas 76180.

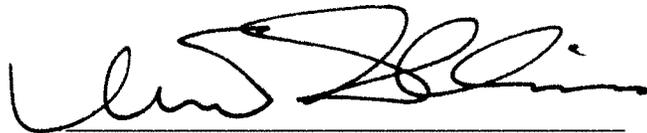
COMMISSIONER'S ORDER

North Texas Innovative Healthcare Network Inc.

Page 3 of 4

4. TDI mailed a notice of hearing to North Texas Innovative Healthcare Network's last known address as required by 28 TEX. ADMIN. CODE §§ 1.28(c) and 1.88(c), 1 TEX. ADMIN. CODE § 155.401, and TEX. GOV'T CODE Ch. 2001.
5. The allegations in the notice of hearing, set out as findings of fact nos. 6-11, are deemed admitted as true pursuant to 28 TEX. ADMIN. CODE § 1.89.
6. North Texas Innovative Healthcare Network violated TEX. INS. CODE § 1305.303(g) and 28 TEX. ADMIN. CODE § 10.81(b) by failing to submit an annual written report to the department on its quality improvement program.
7. North Texas Innovative Healthcare Network violated TEX. INS. CODE § 1305.201 and 28 TEX. ADMIN. CODE § 10.24(b) by failing to submit a financial statement in accordance with generally accepted accounting standards on or before April 1st of each year.

The commissioner revokes North Texas Innovative Healthcare Inc.'s workers' compensation health care network certificate.



Kent C. Sullivan
Commissioner of Insurance

