

No. **2025-9656**

**Official Order  
of the  
Texas Commissioner of Insurance**

**Date: 12/10/2025**

**Subject Considered:**

Aetna Health Inc.  
Attn: Stat Compliance  
P.O. Box 818048  
Cleveland, OH 44181-8048

Consent Order  
TDI Enforcement File No. 37190

**General remarks and official action taken:**

This is a consent order with Aetna Health Inc. (Aetna). Aetna failed to timely file a withdrawal plan and has agreed to pay an administrative penalty of \$25,000.

**Waiver**

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

**Findings of Fact**

1. Aetna is a health maintenance organization (HMO) holding a certificate of authority to transact business in Texas.
2. Texas law requires an insurer to file a withdrawal plan with the department for approval by the commissioner if the insurer proposes to:
  - a. reduce its total annual premium volume by 50% or more or,

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- b. reduce its annual premium by 75% or more in a line of insurance in this state.
3. On May 1, 2025, Aetna's parent, CVS Health Corporation, issued a press release about its first quarter of 2025 results and updates, disclosing Aetna's decision to exit in 2026 the individual exchange business where Aetna independently operates Affordable Care Act (ACA) plans. The press release also states Aetna will continue to deliver service and support to individual exchange members through 2025 and residual activities in 2026.
4. After that press release, Aetna filed a withdrawal plan for commissioner approval on May 23, 2025, to reduce its total annual premium for the individual HMO line of business (off and on-exchange) by 75% or more in Texas, affecting approximately 124,210 Texas policyholders. This withdrawal plan was approved on June 12, 2025.
5. Aetna failed to timely file the withdrawal plan for department review and approval.

## Conclusions of Law

1. The commissioner has jurisdiction over this matter under TEX. INS. CODE §§ 82.051–82.055, 84.021–84.044, 843.071, and 827.001–827.007.
2. The commissioner has the authority to informally dispose of this matter as set forth in TEX. GOV'T CODE § 2001.056, and TEX. INS. CODE §§ 36.104 and 82.055.
3. Aetna has knowingly and voluntarily waived all procedural rights to which it may have been entitled regarding the entry of this order, including, but not limited to, issuance and service of notice of intention to institute disciplinary action, notice of hearing, a public hearing, a proposal for decision, rehearing by the commissioner, and judicial review.
4. Aetna violated TEX. INS. CODE § 827.003(2) and 28 TEX. ADMIN. CODE § 7.1804(a)(1) and (d) by failing to timely file a withdrawal plan.

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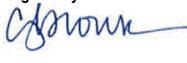
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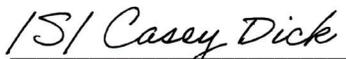
## Order

It is ordered that Aetna Health Inc. pay an administrative penalty of \$25,000 within 30 days from the date of this order. The administrative penalty must be paid as instructed in the invoice, which TDI will send after entry of this order.

Signed by:  
  
FC5D7EDDFFB4F8... \_\_\_\_\_  
Cassie Brown  
Commissioner of Insurance

Recommended and reviewed by:

  
\_\_\_\_\_  
Leah Gillum, Deputy Commissioner  
Fraud and Enforcement Division

  
\_\_\_\_\_  
Casey Dick, Staff Attorney  
Enforcement

**Affidavit**

STATE OF Connecticut §  
§  
COUNTY OF Hartford §

Before me, the undersigned authority, personally appeared Gustavo Giraldo, who being by me duly sworn, deposed as follows:

"My name is GUSTAVO GIRALDO. I am of sound mind, capable of making this statement, and have personal knowledge of these facts which are true and correct.

I hold the office of SVP, IFA and am the authorized representative of Aetna Health Inc. I am duly authorized by said organization to execute this statement.

Aetna Health Inc. has knowingly and voluntarily entered into the foregoing consent order and agrees with and consents to the issuance and service of the same by the commissioner of insurance of the state of Texas."

  
\_\_\_\_\_  
Affiant

SWORN TO AND SUBSCRIBED before me on November 26, 2025.

(NOTARY SEAL)

  
\_\_\_\_\_  
Signature of Notary Public

Katrina Coffey  
\_\_\_\_\_  
Printed Name of Notary Public

**KATRINA COFFEY**  
**NOTARY PUBLIC**  
My Commission Expires Feb. 28, 2027