

19TH JUDICIAL DISTRICT COURT FOR THE PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

NUMBER: 641 928

SECTION: 26

JAMES J. DONELON  
COMMISSIONER OF INSURANCE FOR THE STATE OF LOUISIANA

VERSUS

LOUISIANA HEALTH COOPERATIVE, INC.

FILED: \_\_\_\_\_

\_\_\_\_\_  
DEPUTY CLERK

ORDER

Considering the Emergency Motion to Supplement the September 21, 2005 LAHC Permanent Order of Rehabilitation and Injunctive Relief and for Approval of Process for Transfer of All Systems, Off Site Storage, Software, Hardware, Servers, Data and Records Used to Conduct LAHC Business from the LAHC Third Party Administrator, Group Resources, Inc. ("GRI") to LAHC filed on behalf of James J. Donelon, Commissioner of Insurance for the State of Louisiana as Rehabilitator of Louisiana Health Cooperative, through the Commissioner's Court-appointed Receiver, Billy Bostick ("LAHC"), and the Court finding that the parties are entitled to the relief granted,

IT IS ORDERED that the Supplemental Motion of James J. Donelon, Commissioner of Insurance for the State of Louisiana as Rehabilitator of Louisiana Health Cooperative, through the Commissioner's Court-appointed Receiver, Billy Bostick ("LAHC"), to Supplement the September 21, 2015 Permanent Order of Rehabilitation and Injunctive Relief and for Approval of the Process for Transfer of All Systems, Off Site Storage, Software, Hardware, Servers, Data and Records Used to Conduct LAHC Business from the LAHC Third Party Administrator, Group Resources, Inc. ("GRI") to LAHC be and same hereby is GRANTED.

IT IS FURTHER ORDERED that GROUP RESOURCES, INC. ("GRI") be and hereby is ordered to fully cooperate with LAHC in the transfer of any and all computer data, records, software, hardware, off site storage, servers and systems from the LAHC Third Party Administrator, Group Resources, Inc. to LAHC.

IT IS FURTHER ORDERED that immediately upon presentation of this Order, Group Resources, Inc. ("GRI") shall deliver to and make fully available to LAHC all systems with all

programs, software, hardware, off site storage, servers, workstations, peripherals, backups, storage devices, licenses, license keys, administrator user ids, administrator passwords, and manuals related to the LAHC records, including, but not limited to; EHP Server (computer name FRANK), the EDGE server used for CMS reporting, automate scheduling server, reports server, shared file server, email server, and any and all other servers or workstations on which LAHC computer data or records are stored or used for the transmission of and/or which are used for the LAHC production environment, in order to provide LAHC with an environment for processing.

IT IS FURTHER ORDERED that immediately upon presentation of this Order, GRI turn over to LAHC the following:

1. All systems with all programs, software, hardware, off site storage, servers, workstations, peripherals, backups, storage devices, licenses, license keys, administrator user ids, administrator passwords, and manuals related to the LAHC records, including, but not limited to; EHP Server (computer name FRANK), the EDGE server used for CMS reporting, automate scheduling server, reports server, shared file server, email server, and any and all other servers or workstations on which LAHC computer data or records are stored or used for the transmission of and/or which are used for the LAHC production environment, in order to provide LAHC with an environment for processing.
2. All LAHC records and data related to LAHC claim administration, claims, claims payments, member responsibility, refunds and other claim costs;
3. All LAHC records and data related to network services, discounts, and contracts;
4. All LAHC records and data related to utilization;
5. All LAHC records and data related to prescriptions, prescription costs, and prescription usage;
6. All LAHC records and data related to dental care, dental care costs, and dental service usage;
7. All LAHC records and data related to health care provider licensing and credentialing;
8. All LAHC records and data related to the LAHC provider network;
9. All records and data related to the LAHC Call Center operated by GRI for LAHC;
10. All LAHC enrollment and eligibility records and data;
11. All LAHC records and data related to member materials and member/provider communication services;
12. All LAHC records and data related to authorizations issued for medical care;
13. All LAHC records and data related to grievances and appeals;

14. All LAHC records and data related to LAHC software configuration and IT-Related Services provided to LAHC by GRI;
15. All LAHC records and data related to LAHC state and federal regulatory reporting, including, but not limited to CMS and the Louisiana Department of Insurance;
16. All LAHC records and data related to GRI reporting to LAHC:
17. All LAHC records and data related to LAHC's participation in the Federal Consumer Operated and Oriented Plan ("Co-Op"), LAHC's operation as a Qualified Health Plan ("QHP") under the Affordable Care Act ("ACA"), LAHC's operation as a Louisiana non-profit corporation, and/or LAHC's operation as a Louisiana licensed health maintenance organization ("HMO");
18. All LAHC records and data related to LAHC compliance with applicable Louisiana state and federal laws, regulations, and requirements;
19. All LAHC records and data related to audit, evaluation and inspection of LAHC compliance with applicable Louisiana state and federal law and the Loan Agreement between LAHC and the Centers for Medicaid and Medicare Services ("CMS");
20. All LAHC records and data related to regulatory actions involving LAHC:
21. All LAHC records and data related to GRI's or GRI's contractors' performance of LAHC's core business functions, including, but not limited to, utilization review services, claim payment processes, customer services, call centers, enrollment services, information technology services and provider relations functions;
22. All LAHC and GRI records and data related to GRI insurance coverage, including, but not limited to, coverage required by the GRI Administrative Service Agreement with LAHC for general liability coverage, professional liability insurance coverage, workers' compensation coverage, employer's liability coverage, waiver of subrogation in favor of LAHC, and LAHC as an additional insured under applicable GRI insurance policies;
23. All LAHC and GRI records and data regarding GRI compliance with and/or communications related to the privacy and security rules and regulations for Protected Health Information ("PHI") required by federal law, 45 CFR 150.103, 45 CFR 160.103, 45 CFR 160.410, 45 CFR 162, 45 CFR 164.402, 45 CFR 164.514, 45 CFR 164.524, 45 CFR 164.526, 45 CFR 164.528, 45 CFR 164 Subparts C, E, O and Q, and any and all Louisiana equivalents. See the Business Associate Addendum to the Administrative Services Agreement, attached hereto and incorporated herein as **Exhibit E**.
24. All LAHC and GRI records related to GRI design, testing, presentation, and performance of the "Delegated Services" agreed to in the LAHC Administrative Service Agreement with GRI;
25. All LAHC and GRI records related to GRI compliance with the performance standards of the LAHC Administrative Services Agreement with GRI;
26. All LAHC records and data related to premium billing, and premium due and/or paid to LAHC;
27. All LAHC records and data related to terminations, cancellations, and/or other notice to LAHC policyholders, members, subscribers and enrollees;
28. All LAHC and GRI records related to LAHC payments to GRI;
29. All LAHC financial records and data;

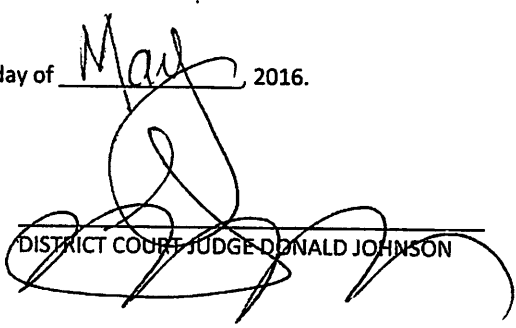
30. All LAHC complaint records and data;
31. All administrator user ids and passwords necessary to access Internet-based services, web-based services, cloud-based services, and any and all third party services that were used by GRI to transmit, store, process, deliver, report, encrypt, decrypt, synchronize, schedule or automate LAHC data, including, but not limited to URLs, web addresses, user ids, usernames, passwords, keys and pins;
32. All United States Postal Service Post Office Boxes used to receive mail on behalf of LHAC; and
33. All telephone line numbers used to receive calls on behalf of LAHC.


IT IS FURTHER ORDERED that LAHC be and hereby is authorized to enter into an agreement with GRI, as needed and in the sole discretion of the Receiver, for GRI support services for transfer of complete working computer systems to LAHC, including, but not limited to, training of LAHC staff as needed, at such rates as LAHC finds reasonable.

IT IS FURTHER ORDER that LAHC, through the Receiver be and hereby is authorized to take any and all other actions as needed, in the discretion of LAHC for transfer of complete working computer systems to LAHC.

IT IS FURTHER ORDERED that GRI provide LAHC a Certificate of Compliance attesting that no records remain under the possession and/or control of GRI or GRI's contractors in any format.

Baton Rouge, Louisiana, this 9 day of May, 2016.

  
DISTRICT COURT JUDGE DONALD JOHNSON

  
DEPUTY CLERK OF COURT  
2016 MAY -5 PM 2:54  
EAST BATON ROUGE, LOUISIANA