

IN THE SUPREME COURT OF PENNSYLVANIA

Docket No. 71 MAP 2021

In re: Senior Health Insurance Company of Pennsylvania (In Rehabilitation)

*Appeal of: The Superintendent of Insurance of the State of Maine,
The Commissioner of Insurance of the Commonwealth of Massachusetts
and the Insurance Commissioner of the State of Washington*

**DESIGNATION OF CONTENTS OF REPRODUCED RECORD BY
ANTHEM, INC.; HEALTH CARE SERVICE CORPORATION; HORIZON
HEALTHCARE SERVICES, INC. D/B/A HORIZON BLUE CROSS BLUE
SHIELD OF NEW JERSEY; AND UNITEDHEALTHCARE INSURANCE
COMPANY**

John P. Lavelle, Jr.
MORGAN, LEWIS & BOCKIUS LLP
1701 Market Street
Philadelphia, PA 19103
Telephone: 215.963.5000

Harold S. Horwich (*pro hac vice*)
Benjamin J. Cordiano (*pro hac vice*)
MORGAN, LEWIS & BOCKIUS LLP
One State Street
Hartford, CT 06103
Telephone: 860.240.2700

*Attorneys for Anthem, Inc.; Health Care Service Corporation; Horizon
Healthcare Services, Inc. d/b/a Horizon Blue Cross Blue Shield of New Jersey;
and UnitedHealthcare Insurance Company*

Date: December 3, 2021

Pursuant to Pa.R.A.P. 2154(a), Intervenor-Appellees Anthem, Inc., Health Care Service Corporation, Horizon Healthcare Services, Inc. d/b/a Horizon Blue Cross Blue Shield of New Jersey, and UnitedHealthcare Insurance Company hereby serve and file this designation of parts of the record to which they deem it necessary to direct the particular attention of the Court and that were not designated by Appellants-Intervenor Superintendent of Insurance of the State of Maine, Commissioner of Insurance of the Commonwealth of Massachusetts, and Insurance Commissioner of the State of Washington as parts of the record which they intend to reproduce.

1. Pre-Hearing Filings and Orders

| Date | Document Description | Docket No. |
|-------------|---|-------------------|
| 7/31/2020 | Health Insurers' Application for Limited Intervention | 16 |
| 12/3/2020 | Order Granting Health Insurers' Application for Limited Intervention | 79 |
| 4/5/2021 | Health Insurers' Pre-Hearing Memorandum | 113 |
| 4/19/2021 | Health Insurers' Rebuttal Pre-Hearing Memorandum | 122 |
| 5/11/2021 | Health Insurers' Application for Relief from Scheduling Order to Use Policy Documents as Exhibits | 130 |
| 5/12/2021 | Order Granting Health Insurers' Application for Relief to Use Policy Documents as Exhibits | 131 |

2. Hearing Exhibits

| Exhibit No. | Document Description |
|--------------------|---|
| RP-12 | SHIP Financials December 2020 (provided as an Exhibit to the Health Insurers' Response to Intervening regulators' Application for Stay Pending Appeal Before the Supreme Court of Pennsylvania) |
| RP-30 | Excel Spreadsheet of Seriatim Option Results January 2021 (provided as an Exhibit to the Health Insurers' Response to Intervening regulators' Application for Stay Pending Appeal Before the Supreme Court of Pennsylvania) |
| RP-53 | Rate Filing History |
| H-1 | Sample Policy Forms |

3. Post-Hearing Filings and Orders

| Date | Document Description | Docket No. |
|-------------|---|-------------------|
| 6/14/2021 | Health Insurers' Post-Hearing Memorandum | 149 |
| 6/28/2021 | Health Insurers' Post-Hearing Response Memorandum | 154 |

Respectfully submitted,

Dated: December 3, 2021

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ Harold S. Horwich

Harold S. Horwich (*pro hac vice*)
Benjamin J. Cordiano (*pro hac vice*)
MORGAN, LEWIS & BOCKIUS LLP
One State Street
Hartford, CT 06103
Telephone: 860.240.2700

John P. Lavelle, Jr.
MORGAN, LEWIS & BOCKIUS LLP
1701 Market Street
Philadelphia, PA 19103
Telephone: 215.963.5000

*Attorneys for Anthem, Inc.; Health Care
Service Corporation; Horizon Healthcare
Services, Inc. d/b/a Horizon Blue Cross Blue
Shield of New Jersey; and UnitedHealthcare
Insurance Company*

CERTIFICATE OF CONFIDENTIALITY COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Dated: December 3, 2021

/s/ Harold S. Horwich

Harold S. Horwich

Attorney for Anthem, Inc.; Health Care Service Corporation; Horizon Healthcare Services, Inc. d/b/a Horizon Blue Cross Blue Shield of New Jersey; and UnitedHealthcare Insurance Company

CERTIFICATE OF SERVICE

I hereby certify that on this date, a true and correct copy of the foregoing the foregoing document was served via the PACFile system as well as via e-mail upon the following counsel, which satisfies the requirements of Pa.R.A.P. 121:

Counsel for Statutory Liquidator of Senior Health Insurance Company of Pennsylvania

Michael Broadbent
Dexter Ryan Hamilton
Cozen O'Connor
1650 Market Street, Suite 2800
Philadelphia, PA 19103
Telephone: (215) 665-4732
[Email: mbroadbent@cozen.com](mailto:mbroadbent@cozen.com)
Email: dhamilton@cozen.com

Patrick Cantilo
Cantilo & Bennett LLPBennett LLP
11401 Century Oaks Ter., Ste 300
Austin, TX 78757
Email: phcantilo@cb-firm.com

Preston M. Buckman
Pennsylvania Insurance Dept.
901 N. 7th Street, Ste. 200
Harrisburg, PA 17102
Email: pbuckman@pa.gov

Amy Daubert
Pennsylvania Department of Insurance
1341 Strawberry Square
Harrisburg, PA 17120
Telephone: (717) 787-2567
[Email: adaubert@state.pa.us](mailto:adaubert@state.pa.us)

Jodi Frantz
Pennsylvania Department of Insurance
1341 Strawberry Square
Harrisburg, PA 17120
Telephone: (717) 787-2567
[Email: jodfrantz@state.pa.us](mailto:jodfrantz@state.pa.us)

Kathryn McDermott Speaks
Pennsylvania Department of Insurance
1341 Strawberry Square
Harrisburg, PA 17120
Telephone: (717) 787-2567
[Email: kspeaks@pa.gov](mailto:kspeaks@pa.gov)

Leslie Greenspan
Tucker Law Group, LLC
Ten Penn Center
1801 Market Street, Suite 2500
Philadelphia, PA 1910
Telephone: (215) 875-0609
[Email: lgreenspan@tlgattorneys.com](mailto:lgreenspan@tlgattorneys.com)

Counsel for State Insurance Regulators

James J. Lawless
Butler Snow LLP
1414 Millard Street
Bethlehem, PA 18018
Email: jim.lawless@butlersnow.com

Non-Parties

Counsel for the Health Care Oversight Trust

Thomas Jenkins, Attorney-at-Law
6498 N. Lazulite Place
Tucson, AZ 85750
Telephone: (312) 480-8153
Email: tjenkins5714@gmail.com

Matthew D. Coble, Counsel
Mette Evans & Woodside
3401 North Front Street
Harrisburg, PA 17110
Telephone: (717) 232-5000
Facsimile: (717) 236-1816
Email: mdcoble@mette.com

Intervenors

Counsel for Intervenor National Organization of Life and Health Insurance Guaranty Associations (NOLGHA)

Caryn M. Glawe
Faegre Drinker Biddle & Reath LLP
300 North Meridian Street, Suite 2500
Telephone: (317) 237-0300
Facsimile: (317) 237-1000
Email: caryn.glawe@faegredrinker.com

D. Alicia Hickok
Faegre Drinker Biddle & Reath LLP
One Logan Square, Suite 2000
Telephone: (215) 988-3364
Facsimile: (215) 988-2857
Email: alicia.hickok@faegredrinker.com

Jane Dall Wilson
Faegre Drinker Biddle & Reath LLP
300 North Meridian Street, Suite 2500
Telephone: (317) 237-0300
Facsimile: (317) 237-1000
[Email: jane.wilson@faegredrinker.com](mailto:jane.wilson@faegredrinker.com)

Counsel for Intervenor Primerica Life Insurance Company

Kevin Eldridge, Assistant General Counsel
Primerica Life Insurance Company
Office of the General Counsel
1 Primerica Parkway
Duluth, GA 30099-0001
Telephone: (470) 564-6898
Facsimile: (470) 564-7028
[Email: Kevin.Eldridge@primerica.com](mailto:Kevin.Eldridge@primerica.com)

J. David Leslie
Rackerman, Sawyer & Brewster P.C.
160 Federal Street
Boston, MA 02110-1700
Telephone: (617) 951-1131
[Email: dleslie@rackermann.com](mailto:dleslie@rackermann.com)

Eric A. Smith
Rackerman, Sawyer & Brewster P.C.
160 Federal Street
Boston, MA 02110-1700
Telephone: (617) 951-1127
[Email: esmith@rackermann.com](mailto:esmith@rackermann.com)

Jim Gkonos, Counsel
Saul Ewing Arnstein & Lehr LLP
Centre Square West
1500 Market Street, 38th Floor
Philadelphia, PA 19102-2186
Telephone: (215) 972-8667
Facsimile: (215) 972-1833
[Email: jim.gkonos@saul.com](mailto:jim.gkonos@saul.com)

**Counsel for Intervenor Maine Superintendent of Insurance, Massachusetts
Commissioner of Insurance and Washington Insurance Commissioner**

Stephen G. Harvey
Steve Harvey Law LLC
1880 John F. Kennedy Blvd., Suite 1715
Philadelphia, PA 19103
Telephone: (215) 438-6600
Email: steve@steveharveylaw.com

**Counsel for Intervenor ACSIA Long Term Care, Inc.; Global Commission
Funding LLC, LifeCare Health Insurance Plans, Inc., Senior Commission
Funding LLC, Senior Health Care Insurance Services, Ltd., LLP, and United
Group Agency, Inc.**

Joseph M. Donley, Member
Clark Hill PLC
Two Commerce Square
2001 Market Street, Suite 2620
Philadelphia, PA 19103
Telephone: (215) 640-8525
Email: jdonley@clarkhill.com

Scott B. Galla, Senior Attorney
Clark Hill PLC
Two Commerce Square
2001 Market Street, Suite 2620
Philadelphia, PA 19103
Telephone: (215) 640-8512
Email: sgalla@clarkhill.com

Pro Se Intervenor James F. Lapinski
James F. Lapinski, Plaintiff and Commenter
P.O. Box 29135
Port Orange, FL 32129

Pro Se Intervenor Georgianna I. Parisi

Georgianna I. Parisi
257 Regency Ridge Dr.
Dayton, OH 45459

Dated: December 3, 2021

/s/ Harold S. Horwich

Harold S. Horwich

*Attorney for Anthem, Inc.; Health Care
Service Corporation; Horizon
Healthcare Services, Inc. d/b/a
Horizon Blue Cross Blue Shield of New
Jersey; and UnitedHealthcare
Insurance Company*

IN THE SUPREME COURT OF PENNSYLVANIA

In Re: Senior Health Insurance Company of : 71 MAP 2021
Pennsylvania (In Rehabilitation) :
:

Appeal of: The Superintendent of Insurance of the
State of Maine, The Commissioner of Insurance of
the Commonwealth of Massachusetts and the
Insurance Commissioner of the State of Washington

PROOF OF SERVICE

I hereby certify that this 3rd day of December, 2021, I have served the attached document(s) to the persons on the
date(s) and in the manner(s) stated below, which service satisfies the requirements of Pa.R.A.P. 121:

Service

Served: Acting Chief Counsel Amy Daubert
Service Method: eService
Email: adaubert@pa.gov
Service Date: 12/3/2021
Address: Pennsylvania Insurance Department
1341 Strawberry Square
Harrisburg, PA 17120
Phone: 717--78-7-2567
Representing: Appellee Jessica K. Altman, Insurance Commissioner of the Commonwealth of PA
Appellee Senior Health Insurance Company of Pennsylvania

Served: Dexter Ryan Hamilton
Service Method: eService
Email: dhamilton@cozen.com
Service Date: 12/3/2021
Address: 1900 Market Street
Philadelphia, PA 19103
Phone: 215-665-2166
Representing: Appellee Jessica K. Altman, Insurance Commissioner of the Commonwealth of PA
Appellee Senior Health Insurance Company of Pennsylvania

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Dorothy Alicia Hickok
Service Method: eService
Email: alicia.hickok@faegredrinker.com
Service Date: 12/3/2021
Address: Faegre Drinker Biddle & Reath
One Logan Square, Suite 2000
Philadelphia, PA 19103
Phone: 215-988-3364
Representing: Appellee National Organization of Life and Health Insurance Guaranty Associations

Served: Georgianna Parisi
Service Method: First Class Mail
Service Date: 12/3/2021
Address: 257 Regency Ridge Dr.
Dayton, OH 45459
Phone: 937-305-4191
Pro Se: Appellee Georgianna Parisi

Served: Haryle Kaldis
Service Method: eService
Email: hkaldis@cozen.com
Service Date: 12/3/2021
Address: 1650 Market Street
Suite 2800
Philadelphia, PA 19103
Phone: 215-665-5559
Representing: Appellee Jessica K. Altman, Insurance Commissioner of the Commonwealth of PA
Appellee Senior Health Insurance Company of Pennsylvania

Served: James F. Lapinski
Service Method: First Class Mail
Service Date: 12/3/2021
Address: PO Box 291395
Port Orange, FL 32129
Phone: --
Pro Se: Appellee James F. Lapinski

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: James Steven Gkonos
Service Method: eService
Email: jgkonos@saul.com
Service Date: 12/3/2021
Address: Saul Ewing LLP
Centre Square West, 1500 Market Street, 38th Floor
Philadelphia, PA 19102
Phone: (21-5) -972-8667
Representing: Appellee Primerica Life Insurance Company

Served: Jodi A. Frantz
Service Method: eService
Email: jodfrantz@pa.gov
Service Date: 12/3/2021
Address: 1341 Strawberry Square
Harrisburg, PA 17120
Phone: 717-787-2567
Representing: Appellee Jessica K. Altman, Insurance Commissioner of the Commonwealth of PA
Appellee Senior Health Insurance Company of Pennsylvania

Served: Joseph M. Donley
Service Method: eService
Email: jdonley@clarkhill.com
Service Date: 12/3/2021
Address: 2001 Market Street
Suite 2620
Philadelphia, PA 19103
Phone: 215--64-0-8525
Representing: Appellee ACSIA Long Term Care, Inc., et al.

Served: Kathryn McDermott Speaks
Service Method: eService
Email: kspeaks@pa.gov
Service Date: 12/3/2021
Address: 1341 Strawberry Square
Harrisburg, PA 17120
Phone: (71-7) -787-2567
Representing: Appellee Jessica K. Altman, Insurance Commissioner of the Commonwealth of PA
Appellee Senior Health Insurance Company of Pennsylvania

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Leslie Miller Greenspan
Service Method: eService
Email: lgreenspan@tlgattorneys.com
Service Date: 12/3/2021
Address: Tucker Law Group
1801 Market Street, Suite 2500
Philadelphia, PA 19103
Phone: 215-875-0609
Representing: Appellee Jessica K. Altman, Insurance Commissioner of the Commonwealth of PA
Appellee Senior Health Insurance Company of Pennsylvania

Served: Michael John Broadbent
Service Method: eService
Email: mbroadbent@cozen.com
Service Date: 12/3/2021
Address: Cozen O'Connor
1900 Market Street
Philadelphia, PA 19103
Phone: 215--66-5-4732
Representing: Appellee Jessica K. Altman, Insurance Commissioner of the Commonwealth of PA
Appellee Senior Health Insurance Company of Pennsylvania

Served: Patrick Herrera Cantilo
Service Method: eService
Email: phcantilo@cb-firm.com
Service Date: 12/3/2021
Address: 11401 Century Oaks Terrace
Suite 300
Austin, TX 78758
Phone: 512-478-6000
Representing: Appellee Jessica K. Altman, Insurance Commissioner of the Commonwealth of PA
Appellee Senior Health Insurance Company of Pennsylvania

Served: Preston M. Buckman
Service Method: eService
Email: pbuckman@pa.gov
Service Date: 12/3/2021
Address: 901 North 7th Street, Suite 201
Harrisburg, PA 17102
Phone: (71-7) -787-6009
Representing: Appellee Jessica K. Altman, Insurance Commissioner of the Commonwealth of PA
Appellee Senior Health Insurance Company of Pennsylvania

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Scott Brandon Galla
Service Method: eService
Email: SCOTTGALLA@GMAIL.COM
Service Date: 12/3/2021
Address: 2001 Market Street
Suite 2620
PHILADELPHIA, PA 19103
Phone: 608--34-7-6758
Representing: Appellee ACSIA Long Term Care, Inc., et al.

Served: Stephen G. Harvey
Service Method: eService
Email: steve@steveharveylaw.com
Service Date: 12/3/2021
Address: 1880 JFK Blvd
PA - Pennsylvania
Philadelphia, PA 19103
Phone: 215-438-6600
Representing: Appellant Maine Superintendent of Ins., Massachusetts Commissioner of Ins. and Washington Ins. Cor

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Courtesy Copy

Served: Adam Kenworthy
Service Method: First Class Mail
Service Date: 12/3/2021
Address: 1963 Bell Ave. Ste 100
Des Moines, IA 50315
Phone: --
Representing: Amicus Curiae State Insurance Regulators

Served: Andrew J. Bruck
Service Method: First Class Mail
Service Date: 12/3/2021
Address: 25 Market Street
P.O. Box 117
Trenton, NJ 086250117
Phone: --
Representing: Amicus Curiae State Insurance Regulators

Served: Bryan E. Brock
Service Method: First Class Mail
Service Date: 12/3/2021
Address: 1120 Paseo de Peralta, 4th Floor
P.O. Box 1689
Santa Fe, NM 875041689
Phone: --
Representing: Amicus Curiae State Insurance Regulators

Served: Christina Kelsey
Service Method: First Class Mail
Service Date: 12/3/2021
Address: P.O. Box 79
Jackson, MS 392050079
Phone: --
Representing: Amicus Curiae State Insurance Regulators

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Frank A. Marnell
Service Method: First Class Mail
Service Date: 12/3/2021
Address: South Dakota Division of Insurance
124 S. Euclid Ave., 2nd Floor
Pierre, SD 57501

Phone: --
Representing: Amicus Curiae State Insurance Regulators

Served: Geoffrey R. Bonham
Service Method: First Class Mail
Service Date: 12/3/2021
Address: SC Department of Insurance
P.O. Box 100105
Columbia, SC 29203105

Phone: --
Representing: Amicus Curiae State Insurance Regulators

Served: J. Van Lear Dorsey
Service Method: First Class Mail
Service Date: 12/3/2021
Address: 200 St. Paul Place
Ste. 2700
Baltimore, MD 21202

Phone: --
Representing: Amicus Curiae State Insurance Regulators

Served: James Joseph Lawless Jr.
Service Method: First Class Mail
Service Date: 12/3/2021
Address: 1414 Millard St
Bethlehem, PA 18018

Phone: 610-420-6304
Representing: Amicus Curiae State Insurance Regulators

Served: Jared Kosky
Service Method: First Class Mail
Service Date: 12/3/2021
Address: 153 Market St. 7th Floor
Hartford, CT 06103

Phone: --
Representing: Amicus Curiae State Insurance Regulators

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Jeff Landry
Service Method: First Class Mail
Service Date: 12/3/2021
Address: PO BOX 94005
Baton Rouge, LA 70804
Phone: --
Representing: Amicus Curiae State Insurance Regulators

Served: Jeffrey P. Rude
Service Method: First Class Mail
Service Date: 12/3/2021
Address: Wyoming Commissioner of Insurance
106 E. 6th Ave
Cheyenne, WY 82002
Phone: --
Representing: Amicus Curiae State Insurance Regulators

Served: Jim Brader
Service Method: First Class Mail
Service Date: 12/3/2021
Address: 1 Commerce Way Ste. 504
Little Rock, AR 72202
Phone: --
Representing: Amicus Curiae State Insurance Regulators

Served: Johannes Palsgraaf
Service Method: First Class Mail
Service Date: 12/3/2021
Address: ND Insurance Department
600 East Boulevard Avenue, Dept. 401
Bismarck, ND 58505
Phone: --
Representing: Amicus Curiae State Insurance Regulators

Served: John M. Formella
Service Method: First Class Mail
Service Date: 12/3/2021
Address: 33 Capitol Street
Concord, NH 03310
Phone: --
Representing: Amicus Curiae State Insurance Regulators

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Kimberly C. Bailey
Service Method: First Class Mail
Service Date: 12/3/2021
Address: Oklahoma Insurance Department
400 NE 50th Street
Oklahoma City, OK 73105
Phone: --
Representing: Amicus Curiae State Insurance Regulators

Served: Lawrence Wasden
Service Method: First Class Mail
Service Date: 12/3/2021
Address: 700 W. State St. 3rd Floor
PO BOX 83720
Boise, ID 837200043
Phone: --
Representing: Amicus Curiae State Insurance Regulators

Served: M. Denise Stanford
Service Method: First Class Mail
Service Date: 12/3/2021
Address: P.O. Box 629
Raleigh, NC 276020629
Phone: --
Representing: Amicus Curiae State Insurance Regulators

Served: Ole Olson
Service Method: First Class Mail
Service Date: 12/3/2021
Address: 840 Helena Ave.
Helena, MT 59601
Phone: --
Representing: Amicus Curiae State Insurance Regulators

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Perri Ann Babalis
Service Method: First Class Mail
Service Date: 12/3/2021
Address: Utah Attorney General's Office
160 East 300 South, 5th Floor
P.O. Box 140874
Salt Lake City, UT 841140874
Phone: --
Representing: Amicus Curiae State Insurance Regulators

Served: Richard B. Wicka
Service Method: First Class Mail
Service Date: 12/3/2021
Address: Wisconsin Office of the Commissioner of Insurance
125 S. Webster St.
Madison, WI 53703
Phone: --
Representing: Amicus Curiae State Insurance Regulators

/s/ John P. Lavelle Jr.

(Signature of Person Serving)

Person Serving: Lavelle, John P., Jr.
Attorney Registration No: 054279
Law Firm: Morgan, Lewis & Bockius LLP
Address: 1701 Market Street
Philadelphia, PA 191032921
Representing: Appellee Anthem, Inc., et al.