



**Mark A. Wolgin, MD**  
Orthopaedic Associates  
619 Pointe North Blvd.  
Albany, GA 31721  
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[www.drwolgin.com](http://www.drwolgin.com)

September 8, 2022

John King, Commissioner of Insurance and Safety Fire  
Two Martin Luther King Jr. Dr.  
West Tower, Suite 702  
Atlanta, GA 30334  
Re: Case number: 555263556

Mr. King,

In response to the attached letters from your office noting how you have no influence over how insurance companies act in Georgia, where delay of care is essentially denial of care, (you are in charge of Georgia, right?), I have to ask:

What do you do?

Since this is not the first that your office, which literally has in the title "Commissioner of Insurance," has professed having no jurisdiction over how insurance companies operate in Georgia, I am not surprised that your office doesn't protect patients in Georgia. While I can only imagine what campaign contributions have been made by insurers (who continue to make record profits\*) to help you get elected, I am writing this letter mainly to send to those copied, in case any of them might have an interest in helping patients.

On the other hand, how great for insurance companies that, due to the technicalities you note, the insurer can take one step over the state line and by having an address outside of Georgia, they escape Georgia regulations. And by the way, why would someone in Pennsylvania (where incidentally Georgia residents don't vote) be interested in a complaint from an outside state?

Your office is actually a great teacher: you have taught me another lesson about how you don't stand up for patients. You have taught me that "Commissioner of Insurance" more appropriately should be called "Commissioner for Insurance." Perhaps you can refer me to a governmental agency that looks out for patients.

To those copied on this letter, I will do anything I can to hopefully stimulate enough interest to investigate this situation. You can check with the Insurance Commissioner for the details per their attached case number. I'm sure the patient involved will give her consent to share information.

Sincerely,



Mark Wolgin, MD

cc:

Donald Palmisano, Jr.  
General Counsel  
Medical Association of GA  
1849 The Exchange, Suite 200  
Atlanta, GA 30339

Atlanta Journal Constitution  
223 Perimeter Center Parkway Northeast  
Atlanta, GA 30346

Office of Governor Brian Kemp  
206 Washington Street  
Suite 203  
State Capitol  
Atlanta, GA 30334

Representative Mark Newton  
Chairman, Special Committee on Access to Quality Health Care  
401K State Capitol  
Atlanta, GA 30334

\* <https://www.live5news.com/2022/02/03/health-insurance-companies-make-record-profits-costs-soar-us/>



Office of Commissioner of  
Insurance and Safety Fire  
Protect | Enforce | Educate | Inform

JOHN F. KING  
Commissioner of Insurance  
and Safety Fire

Two Martin Luther King Jr. Drive  
West Tower, Suite 702  
Atlanta, Georgia 30334

August 31, 2022

Orthopaedics Associates  
619 Pointe North Blvd  
Albany Ga 31721-1514

RE: Our Case Number: 555263556  
Insurer: Anthem Blue Cross Blue Shield (BCBS)  
Coverage: Health

Dear Dr. Wolgin:

We have completed the review of the complaint and the attached response from BCBS. We are advised by the insurer that the governing law for the home plan making eligibility determinations is that of the State of Pennsylvania. As such, our office lacks regulatory authority over the policy and dispute.

We understand from your complaint that you believe that the claims processing is being significantly delayed and may be a violation of law. It is appropriate to file an insurance department complaint with the Pennsylvania Insurance Department. The contact information for that office is:

[www.insurance.pa.gov](http://www.insurance.pa.gov)

1326 Strawberry Square  
Harrisburg PA 17120

PH: (877) 881-6388

We regret that we cannot assist you. Should you have other questions for our office please advise us and we will be pleased to review them with you.

Sincerely,

*James Hartz*

Complaints Analyst  
Consumer Services Division  
Phone: 404-657-8434; Fax: 404-657-8542

/ JH

Anthem Blue Cross and Blue Shield  
Grievances and Appeals  
P.O. Box 105568  
Atlanta, GA 30348-5568



July 27, 2022

Mr. James Hartz, Investigator  
Consumer Services Division  
Office of the Commissioner of Insurance  
Room 716  
2 Martin Luther King, Jr. Drive  
Atlanta GA 30334

Complainant Name: Mark Wolgin, MD  
Provider: Orthopaedic Associates  
Member Name: ~~XXXXXXXXXX~~ BM  
Member #: K3R130565210001  
Case #: 555263556  
Anthem Case #: INQ-COMM-58222  
NAIC#: NA

Dear Mr. Hartz:

Thank you for the opportunity to review and respond to the above-listed case number. Dr. Wolgin expressed dissatisfaction regarding excessive hold times when calling the plan for surgery/treatment approval. In the complaint Dr. Wolgin mentions issues with hold times for patient ~~XXXXXXXXXX~~: BM

Member ~~XXXXXXXXXX~~ enrolled in policy with Highmark Blue Shield of central Pennsylvania and the Lehigh Valley (Highmark). Although this issue does not fall within the jurisdiction of the Georgia Department of Insurance, we are providing the following information.

The patient's coverage with Highmark includes access to our service area using the BlueCard System. This system allows access to an extended network of participating providers wherever care is rendered. Claims are forwarded by the Plan where care occurs, the "host" Plan (i.e. Anthem Blue Cross Blue Shield Georgia [Anthem]) to the issuing "home" Plan (Highmark). The home Plan determines eligibility and advises the host Plan of any deductible, co-payments, coinsurance, and other limitations based on the patient's policy. Once it receives this information, the host Plan processes the claim(s) for payment. Payments go directly to the participating provider or to members for reimbursement of non-participating providers. The home Plan makes benefits determinations and is subject to the regulatory authority of the state in which it is situated.

The information presented indicates the issue is a benefit concern and therefore, not an issue for which we can address. We process claims according to the direction of Highmark, the member's home Plan.

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We regret we are unable to assist further. If there are additional concerns about the benefits of this Plan, it will be necessary for you to forward this inquiry to the address on the back of the identification card.

Thank you again for contacting us. Please let us know if you have any questions.

Sincerely,

*Jill Nash*

Jill Nash  
Grievances and Appeals, Risk Analysis  
Regulatory Unit