



BIOGRAPHICAL AFFIDAVIT AND FINGERPRINTING REQUIREMENTS FOR HEALTH MAINTENANCE ORGANIZATIONS (HMOs)

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Company Licensing & Registration is given authority to inquire into the competence and fitness of the officers and directors of insurers. Please see:

- Texas Insurance Code, Chapter 801, Subchapter C (Competence, Fitness, or Reputation).
- Texas Administrative Code, Title 28, Part 1, Chapter 1, Subchapter D—Effect of Criminal Conduct.
- Texas Government Code 411.106—Access to Criminal History Record Information: Texas Department of Insurance.

Biographical affidavits are required when a change occurs to a company’s officers or directors at any time throughout the year. Fingerprint cards may need to be submitted, depending on the circumstances (see Section III. Fingerprinting Requirements).

The forms referenced in each section may be found on our website at <http://www.tdi.texas.gov/forms/form3.html>.

These instructions are for Health Maintenance Organizations (HMOs) ONLY.

Section I: BIOGRAPHICAL REQUIREMENTS

Submit an [NAIC Biographical Affidavit UCAA, Form 11](#) for each officer. Make sure the affidavit is correctly completed (see Section II, Important Tips).

Pursuant to Texas Administrative Code, Title 28, Part 1, Chapter 1, Subchapter D, each individual listed in §1.503 (3) and (4) of this subchapter (relating to Application of Fingerprint Requirement), at or near the same time that they submit their biographical information, must also submit fingerprint cards, unless the cards were previously submitted. Please see Section III: Fingerprint Requirements.

Biographical affidavits are required for ALL Officers: Chief Executive Officer, President, Executive Director, Secretary, Treasurer, Chief Financial Officer/Controller, Chief Operating Officer and Medical Director. Additionally, biographical affidavits are required for ALL Directors/Partners.

We **DO NOT** require biographical affidavits for Vice Presidents or Assistant-officers.

Biographical changes for HMOs are considered subsequent filings for information pursuant to 28 Texas Administrative Code §11.301 (5)(A) and must be filed within 30 days of change.

Please submit:

- HMO Transmittal and Certification Form (LHL259);
- Officers and Directors Page (FIN306);
- NAIC Biographical Affidavit UCAA Form 11 for each officer;
- **\$50.00** filing fee, made payable to the Texas Department of Insurance; and
- If the new officer has not previously submitted fingerprint cards to the Texas Department of Insurance, we will need additional information. Please see Section III: Fingerprint Requirements.

Section II. IMPORTANT TIPS FOR BIOGRAPHICAL AFFIDAVITS

Company Licensing & Registration encounters typical deficiencies which require correction. Please be sure the affidavits submitted have:

- Company name correctly listed. If the officer/director is elected to the same position for more than one company, make sure all company names are listed. Group names are not acceptable.
- All questions answered. If questions do not apply, please indicate "N/A." If questions are left blank, we must assume they were overlooked, and they will require correction.
- Position correctly listed. We cannot enter a position in our database if it is not listed on the affidavit.
- Applicant **MUST** sign. In addition, the affidavit must be notarized. We will accept copies as long as they are legible and dated within 3 years (and all other information is still current).
- Holding Company System. If the individual is an officer/director for multiple insurers within a holding company system, please send one biographical affidavit and attach a document listing each affiliated insurer and the appropriate position within that entity.

If a current officer has been elected to a new position, a [Biographical Affidavit Update Form \(FIN324\)](#) reflecting the new position is required.

Section III. FINGERPRINTING REQUIREMENTS

Commissioner's Bulletin #B-0043-07 dated October 22, 2007, and Commissioner's Bulletin #B-0045-06, issued on December 15, 2006, established fingerprint requirements for officers and directors, effective January 1, 2007.

If an officer has not previously submitted fingerprint cards (for example, in connection with an admission/incorporation or a Form A, or for an insurance agent application), we may need a set submitted. If you are unsure if the officer has previously fulfilled this requirement, please note so when you submit the biographical affidavit. We can check our records, and notify you when we determine if fingerprints are necessary. Be aware that this will also delay updating our database since we cannot add officers until a background check has been done.

Electronic fingerprinting is fast and accurate, and in most cases will avoid potential delays in the processing of your submission.

DO NOT SEND PAPER FINGERPRINT CARDS TO THE TEXAS DEPARTMENT OF INSURANCE. If we receive fingerprint cards, we will either shred them or return them to you at your expense.

The general process for obtaining Electronic Fingerprints is as follows:

- 1) Print and complete the FAST Pass form from TDI's website. You will need information from the FAST Pass when you make your fingerprint appointment.
- 2) Schedule an appointment to be fingerprinted. Pursuant to DPS requirements on the vendor, you will be photographed as part of the fingerprint process.
 - MorphoTrust USA has 80+ Texas fingerprint locations. Schedule at <http://www.identogo.com/> or call toll-free 1-888-467-2080 (8 am-5 pm CST)
- 3) Arrive at your scheduled appointment with your FAST Pass. After your fingerprints and photograph are taken, the technician will give you a receipt stating that you were fingerprinted. **Do not discard your receipt.** You will not get a printed fingerprint card. Your fingerprints will be sent electronically to DPS and the FBI.
- 4) Attach your fingerprint receipt to your application. You will be sending the receipt to us instead of sending a paper fingerprint card.

When Electronic Fingerprinting is Not an Option

TDI strongly recommends all applicants and registrants, especially residents of Texas, utilize fingerprinting through approved vendors of DPS. However, when electronic fingerprinting is not an option and fingerprint cards must be used, applicants and registrants should follow Steps 1 thru 5 below.

Step 1: Print and complete the [FAST Fingerprint Card Scan Authorization Form](#) from TDI's website, [FastForm for electronic fingerprint appointments](#). ALL information requested on the FAST Fingerprint Card Scan Authorization Form MUST be provided. That includes, sex, race, date, and place of birth, home address, etc. If the required information is not provided, the fingerprint card cannot be processed.

Step 2: Get fingerprinted by a criminal law enforcement agency on an original APPLICANT fingerprint card that includes Texas Department of Insurance ORI TX920540Z. ALL requested information must be provided on the fingerprint card and you and the official taking the fingerprints must sign the card. Blank cards may be obtained from TDI by calling 512-676-6500 or e-mail request to license@tdi.texas.gov. All fingerprints MUST be captured by a law enforcement agency.

Step 3: Make check payable to "MorphoTrust USA Enrollment Services."

Step 4: Mail the completed Fingerprint Card Scan Authorization Form, original fingerprint card, and check to:
 MorphoTrust USA
 Attn: Texas Card Scan
 3051 Hollis Drive, Suite 310
 Springfield, IL 62704

Step 5: Wait for a FAST receipt from MorphoTrust USA Enrollment Services. The receipt should be emailed to the applicant's email. The FAST receipt must be attached to the TDI filing. The FAST receipt allows TDI to locate criminal history information. (NOTE: Should your fingerprints be unacceptable, you will receive a rejection notice from MorphoTrust USA Enrollment Services.)

For questions or more information, please contact our Admitted Team at (512) 676-6385 or by email at CompanyLicense@tdi.texas.gov.

Submit completed documents to:
Texas Department of Insurance
Company Licensing & Registration, MC 9999 (for filings with money)*
or MC 305-2C (for filings without money)
PO Box 149104
Austin, TX 78714-9104

Physical address:
333 Guadalupe Street
Austin, TX 78701

**If sending a \$50 filing fee, be sure to attach the check to your cover letter. This will ensure that our Mail Center sees your check. Using the designated Mail Code of 9999 also alerts our Mail Center that a check is enclosed.*