

Copy

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March 25, 2015

Cigna Corporate Headquarters
900 Cottage Grove Road
Bloomfield, CT 06002

Attn.: David Cordani, CEO

Re: Cigna Health Insurance Use of Hazardous Flu Clinics & License to Sell Health Insurance

Dear Mr. Cordani:

I previously wrote to you of expired flu vaccine being administered at a Summit Health workplace flu clinic for Cigna policyholders. Enclosed is a letter from the Chief Medical Office of Quest Diagnostics, Dr. Cohen, conceding use of expired flu vaccine at the clinic. Quest Diagnostics purchased Summit Health in April of 2014. According to Dr. Cohen, Summit Health, rather than properly disposing of expired flu vaccine, as required under federal and state laws, used it at a flu clinic, rendering myself and 30 colleagues waste receptacles for Summit Health's expired vaccine. Cigna allowed Summit Health to conduct a second clinic 30 days after the first clinic for those receiving expired vaccine, despite no explanation offered by Cigna for Summit Health's possession and use of expired flu vaccine. I did not attend the second clinic.

Why was Cigna unaware Summit Health did not dispose of expired flu vaccine? Did Cigna investigate Summit Health's Michigan facility as to disposal practices of expired vaccine? Were disposal records requested by Cigna? Did Cigna speak with anyone at Summit Health as to disposal operations of expired flu vaccine? Were vials' vaccine lot numbers requested from Summit Health to determine frequency of expired vaccine use? Why is Cigna using Summit Health to conduct flu clinics where Summit Health is unlicensed to conduct such clinics by the Boards of Pharmacy in several states, and is thus conducting unlawful flu clinics?

Where Summit Health's *Field Staff Immunization Clinic Program Guide* provided Summit Health transports unsealed vaccine vials through the mail for use at a future flu clinic, and such Guide was on the internet, why is Cigna using Summit Health? Did Cigna cease using Summit Health flu clinics after receiving my previous letters? Will Cigna use Summit Health to conduct flu clinics in 2015-2016? Where Cigna previously entered into contracts with Quest Diagnostics, Summit Health's parent corporation, has that influenced Cigna's use of Summit Health?

Where Cigna hires a flu shot company that not only fails to dispose of expired flu vaccine, but uses that vaccine at a flu clinic, what confidence is there as to Cigna's ability as to its operations? Where Cigna apparently engaged in zero due diligence as to Summit Health flu clinics, are the rest of its medical services safe for policyholders? Are doctors licensed, are premiums and co-payments properly calculated, is there interest in striving to provide the best health care, etc.?

Elected officials and Insurance Commissioners, on notice of the hazardous conditions of such clinics, place their jobs in jeopardy in allowing Cigna to sell health insurance in their states. Where such officials have actual notice of Summit Health's operations and Quest Diagnostics' position that Summit Health's operations will not change, allowing Cigna to continue operations in their states is to risk the health of policyholders. Such officials have a duty to protect residents from a known hazardous condition by removing such condition. If such officials fail to act, like Cigna, they are at fault and responsible for risking policyholders' health. Do Governors and Insurance Commissioners want to tell residents they had notice of this condition following a tragedy, especially given the existence of other flu clinic companies?

Where Cigna's due diligence was non-existent, and with its actions lacking any inference of humanity, Cigna forfeited its privilege to sell health insurance. How could you allow Summit Health to continue to operate flu clinics for policyholders when you KNEW, from my letters, it was not disposing expired flu vaccine! For Cigna to continue to allow Summit Health to perform flu clinics for policyholders after receiving my letters as to the hazardous operations of such clinics, reveals a shocking depth of callousness to others' health from a purported health provider.

In my first letter to you, I reported 54 children died from the flu this season. At the end of February, it increased to 107 children from 33 states. Where Summit Health's website claims to conduct flu clinics "in every zip code in the country," Cigna's use of Summit Health unquestionably poses a widespread risk to policyholders. Every Cigna policyholder who attended a Summit Health flu clinic should receive a letter from you, as CEO, stating Summit Health, the one company out of many Cigna selected to conduct flu clinics for policyholders, does not dispose of expired vaccine, sends vaccines through the mail in unsealed vials for use at future flu clinics, and sent expired vaccine to a flu clinic. While such letter yields nothing to inconsolable parents possibly affected by Cigna's operational failures, it will serve to remind you that when given actual notice of a hazardous condition, you get rid of it, not pay it.

Sincerely,

Edward J. O'Gorman, Esq.

cc:

State Governors and Insurance Commissioners of AL, AR, NC, PA, SC

October 6, 2014

Edward Ogorman
5 RED TAIL COURT
Pawling, NY 11264

Subject: Wilson Elser, LLP Flu Clinic Update

Dear Edward Ogorman:

Summit Health is writing to notify you that the flu vaccination shot you received during the flu clinic that Summit Health conducted at Wilson Elser offices in White Plains, New York on September 30th was not effective because the effective date of the serum lapsed. We have absolutely no reason to believe that your health has been compromised in any way, but it will be necessary for you to receive another flu vaccination for the reasons explained below.

Again, after extensive consultation with our medical team and based on information provided by the United States Center for Disease Control and Prevention, there is no reason to believe that there has been or will be any adverse health reactions to receiving the expired vaccine. However, the CDC advises that doses of expired vaccine that are administered inadvertently generally should not be counted as valid and should be repeated. Inactivated vaccines should be repeated as soon as possible. We will work with Wilson Elser to schedule a flu clinic as soon as possible. You will be notified of the time and date of the flu clinic once all of the details have been solidified. Additional information about expiration dates is available at <http://www.cdc.gov/vaccines/recs/storage>.

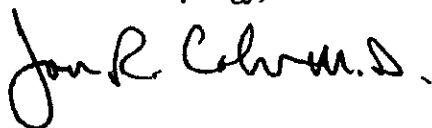
Pursuant to New York law, flu vaccines must be administered by authorized personnel. For the September 30th flu clinic Summit Health contracted with a provider to supply authorized personnel to conduct the vaccination program. Unfortunately, the staff at the flu clinic dispensed several doses of expired flu vaccine from last year's flu vaccination program. As a general procedure, when Summit Health conducts or sponsors a flu clinic, the lead nurse completes an audit of the flu clinic supplies and vaccine to ensure adequate supplies are onsite. The staff administering the flu vaccine also completes the Flu Clinic Consent Form, verifies the serum expiration date and records the vaccine lot number, injection site, dosage, and nurse license number on each participant form. In this instance, the staff onsite did not follow these standard operating procedures as they did not verify the serum expiration date and vaccine lot number. Based on our investigation, we believe that the staff responsible for the immunizations administered expired inactive vaccine. Summit Health has worked closely with the staff to determine the root cause and implement process improvement strategies to prevent this from occurring going forward.

As one of the nation's largest providers of on-site corporate wellness events, Summit Health performs over forty thousand flu-shot and screening events each year. Our top priority is always to provide seamless, secure and high quality services, and we sincerely apologize for any inconvenience this matter

causes you. We will continue to investigate this matter and put the proper corrective actions in place to prevent any future occurrences. We are determined to and strive to improve our processes to create an error-free environment.

If you have any questions regarding this matter, please contact Rachel Kendrick, the Summit Health National Program Manager for Wilson Elser, directly at 480.696.2612 or by email at rkendrick@summithealth.com.

With my sincere apology,

A handwritten signature in black ink, appearing to read "Jon R. Cohen, M.D.", with a stylized flourish at the end.

Jon R. Cohen, M.D.
SVP and Chief Medical Officer
Group Executive – Diagnostic Solutions Businesses