

**STATE OF NEW HAMPSHIRE
INSURANCE DEPARTMENT**

**In Re: Wellcare Prescription Ins., Inc.
Docket No.: INS No. 22-041-EP**

RECEIVED
NH INSURANCE DEPARTMENT
OCT 19 2022

CONSENT ORDER

This Consent Order is made between the New Hampshire Insurance Department (“NHID”) and Wellcare Prescription Ins., Inc. (“Respondent”), the terms of which are as follows:

FINDINGS OF FACT

1. Respondent is an insurance company with a NAIC company code of 10155, a business address of 8735 Henderson Rd, Tampa, FL 33624, is licensed as a health insurer, and is authorized to write health insurance in New Hampshire.
2. Pursuant to NH RSA 420-G:11, II, health carriers are required to provide to the NHID encrypted claims data in accordance with the rules enumerated under NH INS 4000.
3. For approximately the first seven months of 2022, Respondent failed to provide timely and complete claims data and responses to the NHID.
4. Since August of 2022, Respondent has worked cooperatively with the NHID to correct the earlier inadequacies with its reporting of claims data.
5. As of the execution of this consent order, Respondent is up to date with its filing of claims data to the NHID.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact and the applicable provisions of law, the NHID concludes and finds the following Conclusions of Law:

- a. Respondent is subject to the jurisdiction of the NHID; and

- b. Respondent violated NH RSA 420-G:11.

ORDER

WHEREFORE, the NHID orders and Respondent consents to the following:

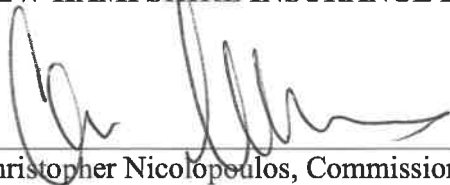
- a. The Respondent waives all rights to a formal administrative hearing in this matter and agrees that this Consent Order shall have the full force and effect of an Order fully entered in accordance with the adjudicatory procedure provided for in RSA Chapter 541-A and Ins Part 200.
- b. For the purposes of resolving this matter without a formal administrative hearing, Respondent agrees to the following:
 - i. an administrative penalty of \$10,000 due upon execution of this consent order, made payable to "Treasurer, State of New Hampshire", and mailed to the attention of Sarah Prescott, New Hampshire Insurance Department, 21 South Fruit Street, Suite 14, Concord, NH 03301.
- c. In the event that Respondent fails to meet any of the terms set forth in this section, the NHID may institute further administrative proceedings under the authority of RSA 400-A:15, III or any other applicable law.
- d. By entering into this Consent Order, the NHID and the Respondent intend to fully resolve all issues relating to the above-mentioned matters. This Consent Order shall be deemed a complete settlement and full and final resolution and is in lieu of any other action(s) that has and could have been brought by the NHID relating to these matters. Provided however, notwithstanding the foregoing, the NHID may take any and all appropriate actions should the Respondent violate any provision of the State's insurance laws in the future.

- e. This Consent Order shall be fully enforceable in any Superior Court in the State of New Hampshire, and any actions to enforce this Consent Order shall be governed by the laws of the State of New Hampshire.
- f. This Consent Order is considered a public regulatory action and will be reported to the National Association of Insurance Commissioners. The Respondent must, in the future, answer "YES" to any question which asks "have you ever been named or involved as party in an administrative proceeding" or any substantially similar question.

IT IS SO ORDERED.

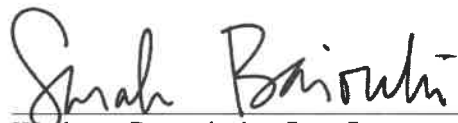
NEW HAMPSHIRE INSURANCE DEPARTMENT

Date: October 31, 2022



Christopher Nicolopoulos, Commissioner

Date: October 3, 2022



Wellcare Prescription Ins., Inc.
Authorized Representative, Respondent