

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

FILED  
JUL 06 2022  
INSURANCE COMMISSIONER  
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN, MULREADY, Insurance Commissioner,	)	
	)	
	)	
Petitioner,	)	
vs.	)	
	)	CASE NO. 21-0117-DIS
PREMIER HEALTH SOLUTIONS, LLC, a foreign third party administrator,	)	
	)	
	)	
Respondent.	)	

CONSENT ORDER

COMES NOW the State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner, and the Respondent Premier Health Solutions, LLC (“Respondent”) and stipulate to the following facts and applicable laws. The parties consent to entry of this Consent Order.

JURISDICTION

1. The Insurance Commissioner of the State of Oklahoma, Glen Mulready, is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 *et seq.*, including the Oklahoma Third Party Administrator Act, 36 O.S. §§ 1441 through 1452.

2. Premier Health Solutions, LLC (“Respondent”) is a foreign third party administrator licensed in the State of Oklahoma. Respondent’s mailing address of record is 2601 Network Blvd, Suite 500, Frisco, Texas 75034.

3. A person or entity licensed and acting as a third party administrator in Oklahoma must comply with all the applicable laws, rules, regulations, and requirements of the Oklahoma Insurance Code. 36 O.S. § 1450.

4. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to 36 O.S. § 1450(G).

5. Informal disposition of this matter may be made by consent order pursuant to 75 O.S. § 309(E).

#### **STIPULATIONS OF FACT**

1. On or about January 18, 2021, the Consumer Assistance Division of the Oklahoma Insurance Department (the “Department”) received a consumer complaint involving a fixed indemnity/limited benefit product that did not meet the requirements of Minimum Essential Coverage (“MEC”) under the Affordable Care Act (“ACA”). Respondent acted as the third party administrator for the benefits offered by an insurance company.

2. While investigating the complaint, the Consumer Assistance Division discovered that the front of the health benefit card held by the complainant plainly stated “This is Minimum Essential Coverage (MEC) Plan. This plan pays 100% of Preventive Services as defined by the Center for Medicare and Medicaid Services (CMS).”

3. Respondent admitted their company does submit the benefit cards to be processed, prepared, and sent out to consumers. Respondent negligently distributed information, through printed and electronically accessible materials, misrepresenting the fixed indemnity/limited benefit plans as MEC.

4. Legal entities engaged in the business of insurance are prohibited from misrepresenting or falsely advertising policy contracts or policy information or from making untrue, deceptive, or misleading statements with respect to their conduct of insurance business under 36 O.S. § 1204(1)-(2).

**CONCLUSIONS OF LAW**

1. Respondent violated 36 O.S. § 1204 by publishing materially false and misleading statements regarding the nature and coverage of the benefit plans they were responsible for administering.

**ORDER**

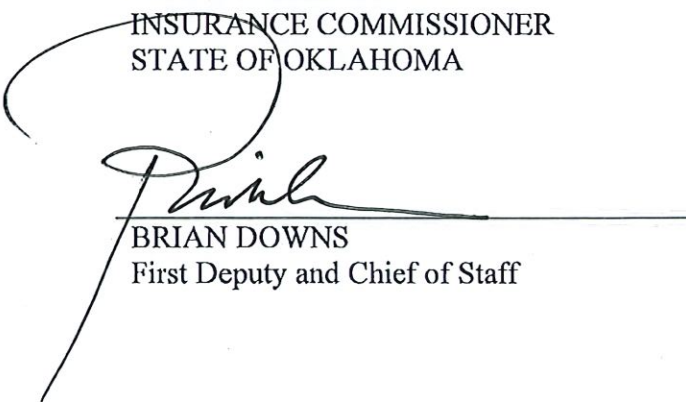
**IT IS THEREFORE ORDERED** by the Insurance Commissioner and **CONSENTED** to by the Respondent that Respondent is hereby **fin**ed in the amount of **ONE HUNDRED DOLLARS (\$100.00)** for one (1) violation of 36 O.S. § 1204. The fine is to be paid by money order or cashier's check within thirty (30) days of this order and made payable to the Oklahoma Insurance Department located at 400 NE 50th Street, Oklahoma City, Oklahoma 73112.

**IT IS FURTHER ORDERED** by the Insurance Commissioner and **CONSENTED** to by the Respondent that Respondent shall correct any and all false, inaccurate, or misleading marketing materials and plan or policy documents with accurate plan information. Failure to comply with a proper order of the Commissioner will result in further administrative action.


WITNESS My Hand and Official Seal this 5<sup>th</sup> day of July, 2022.



GLEN MULREADY  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

  
BRIAN DOWNS  
First Deputy and Chief of Staff

AGREED TO:



Molly K. Clinkscales  
Attorney for Petitioner



Jeff Burley  
General Counsel, Premier Health Solutions, LLC

**CERTIFICATE OF MAILING**

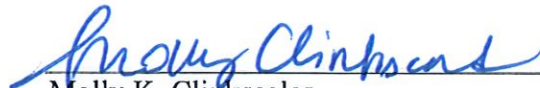
I, Molly K. Clinkscales, hereby certify that a true and correct copy of the above and foregoing *Consent Order* was mailed by certified mail, with postage prepaid and return receipt requested, on this 6 day of July, 2022, to:

Premier Health Solutions, LLC  
Att: Jeff Burley  
2601 Network Blvd., Suite 500  
Frisco, TX 75034

CERTIFIED MAIL NO:  
9214 8902 0982 7500 0477 68

and a copy was delivered to:

Oklahoma Insurance Department Regulated Industry Services and Consumer Assistance  
Divisions



Molly K. Clinkscales  
Assistant General Counsel





21-0117-Dis  
MKC

Date Produced: 07/18/2022

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0477 68. Our records indicate that this item was delivered on 07/11/2022 at 11:23 a.m. in FRISCO, TX 75034. The scanned image of the recipient information is provided below.

Signature of Recipient :

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Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,  
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

PREMIER HEALTH SOLUTIONS LLC  
ATTN: JEFF BURLEY  
STE 500  
2601 NETWORK BLVD  
FRISCO TX 75034-1921

Customer Reference Number: C3537394.20812214