

BEFORE THE DIVISION OF INSURANCE  
DEPARTMENT OF LABOR AND REGULATION  
STATE OF SOUTH DAKOTA

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IN THE MATTER OF )      CONSENT ORDER  
ACQUIRE HEALTH LLC )

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In resolution of the above matter and in lieu of issuance of a Notice of Hearing and a formal hearing, the undersigned parties do hereby agree to the following:

ACQUIRE HEALTH LLC ("ACQUIRE"), whose address of record is 495 Grand Blvd., Suite 206, Miramar Beach, FL 32550, has filed a Discount Medical Plan registration application in the State of South Dakota;

ACQUIRE is aware that the South Dakota Division of Insurance ("Division") has conducted an investigation;

The South Dakota Division of Insurance alleges the following with regard to ACQUIRE:

- 1) ACQUIRE filed their Discount Medical Plan registration application with the Division on April 16, 2018;
- 2) ACQUIRE was operating a Discount Medical Plan in South Dakota, before it applied for registration, in violation of SDCL § 58-17E-9;
- 3) Pursuant to SDCL §§ 58-17E-9 and 58-17E-14; the Director of the South Dakota Division of Insurance may deny ACQUIRE 's Discount Medical Plan registration for the above-cited reasons.

ACQUIRE is aware of and understands the nature of the allegations and has been informed that it has the right to a Notice of Hearing, counsel and appeal and that by agreeing to sign this Consent Order, waives these rights;

In return for ACQUIRE agreeing to and complying with the provisions of this Consent Order, the Division agrees not to proceed to administrative hearing and agrees that this Consent Order will constitute an informal disposition of this matter pursuant to SDCL 1-26-20;

By the execution of this Consent Order and the payment of a penalty pursuant to this Consent Order, ACQUIRE waives its right to contest the allegations contained in this Consent Order in any future actions or licensing procedures with the Division;

ACQUIRE agrees to pay \$5,000 pursuant to SDCL § 58-4-28.1, in lieu of proceeding to a formal hearing, and further agrees to conduct itself in accordance with the insurance laws and regulations of the State of South Dakota;

ACQUIRE agrees to add the following disclaimer to its mailings sent to South Dakota residents, "This program is NOT affiliated with the Government";

ACQUIRE agrees to modify the symbol they use in South Dakota so it does not so closely resemble the state seal;

ACQUIRE agrees that this Consent Order may be considered for the purpose of determining the appropriate sanction in any future actions with the Division for any violations of the laws or regulations of the State of South Dakota or for failing to abide by any order of the Director;

Division agrees and acknowledges that ACQUIRE's marketing materials, more specifically those marketing materials from the South Dakota Prescription Assistance Program that the Division has received from the beginning of the investigation through the end of the investigation, are acceptable for use within the State of South Dakota except for agreements contained within this consent order;

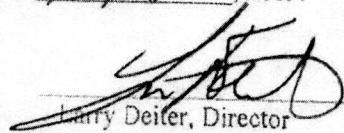
Wherefore, good cause appearing from the foregoing, it is hereby ORDERED that ACQUIRE pay a monetary penalty in the amount \$5,000 payable to the South Dakota Division of Insurance for deposit in the general fund of the State of South Dakota; and it is

ORDERED that ACQUIRE's Discount Medical Plan registration application is approved as of the effective date of this order; and it is further

FURTHER ORDERED that the use of this Consent Order for competitive purposes by an insurance agent or third-party administrator holding a license in the State of South Dakota, or by any company holding a Certificate of Authority, or by anyone on their behalf, may be deemed unfair competition and be grounds for suspension or revocation of said license or authority.

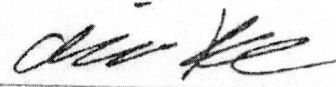
IT IS FURTHER ORDERED that the provisions of this Consent Order shall be effective from the date the Director signs this Order.

Dated at Pierre, South Dakota this 12<sup>th</sup> day of August, 2019.

  
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Larry Deiter, Director  
South Dakota Division of Insurance

The undersigned, on behalf of ACQUIRE, represents it understands the terms of this Consent Order and the waiver of its due process rights and voluntarily enters into this Consent Order.

Dated this 9<sup>th</sup> day of August, 2019.

  
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Signature of Authorized Representative  
Christopher T. Butler  
\_\_\_\_\_  
Printed Name  
General Counsel  
\_\_\_\_\_  
Title