

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

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IN THE MATTER OF	)	
CLEAR SPRING HEALTH	)	CONSENT ORDER
INSURANCE COMPANY	)	

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

CLEAR SPRING HEALTH INSURANCE COMPANY ("CLEAR SPRING"), whose address of record is 250 South Northwest Hwy, Suite 302, Park Ridge , IL 60068, is an insurance company holding a Certificate of Authority to transact business in the State of South Dakota;

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

The Division alleges the following with regard to CLEAR SPRING:

- 1) The Division received various complaints regarding CLEAR SPRING's handling of Medicare Prescription Drug Plans;
- 2) The Division wrote to CLEAR SPRING on multiple occasions requesting responses regarding consumer complaints within 20 days of receipt;
- 3) CLEAR SPRING did not timely respond to the Division's communications in violation of SDCL 58-33-66 and 58-33-68;
- 4) Any of the above-cited conduct may be grounds for the revocation or suspension of CLEAR SPRING's certificate of authority pursuant to SDCL 58-6-46, 58-33-66, and 58-33-68.

CLEAR SPRING 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 CLEAR SPRING 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 licensing matter pursuant to SDCL 1-26-20;

CLEAR SPRING agrees to pay \$2,500 pursuant to SDCL 58-6-46 and 58-4-28.1, in lieu of an administrative hearing and Final Decision;

CLEAR SPRING further agrees to conduct itself in accordance with the insurance laws and regulations of the State of South Dakota;

CLEAR SPRING further 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;

CLEAR SPRING waives its right to contest the allegations contained in this Consent Order in any future actions or licensing procedures;

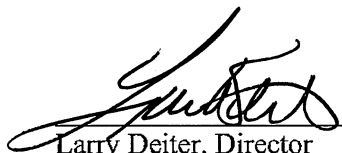
Wherefore, good cause appearing from the foregoing, it is hereby ORDERED that CLEAR SPRING pay a monetary penalty in the amount of \$2,500 payable to "South Dakota Division of Insurance" for deposit in the general fund of the State of South Dakota; and it is further

ORDERED that CLEAR SPRING abide by the agreements made by it in this Consent Order; and it is 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; and it is further

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

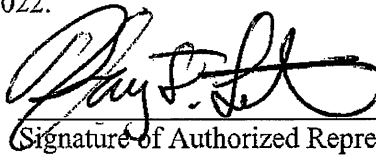
Dated at Pierre, South Dakota this 2<sup>nd</sup> day of December, 2022.

  
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Larry Deiter, Director  
South Dakota Division of Insurance

[Company signature page follows]

The undersigned, on behalf of CLEAR SPRING HEALTH INSURANCE COMPANY, 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 28<sup>th</sup> day of November, 2022.



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Signature of Authorized Representative

HARVEY F. LITTMAN  
Printed Name

CFO  
Title