

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

IN THE MATTER OF
SALVASEN HEALTH

)

CONSENT ORDER AND
ORDER TO CEASE AND DESIST

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:

SALVASON HEALTH (SALVASEN) whose last known address is 10713 West Sam Houston N, Suite 100, is an organization sponsoring and offering health coverage under unlicensed, self-funded health plans in the State of South Dakota;

SALVASEN is aware that the South Dakota Division of Insurance (Division) has conducted an investigation into SALVASEN's activities in South Dakota;

The Division has alleged the following:

- 1) SALVASEN, by and through various entities or affiliates, offered and provided unauthorized health coverage to at least 220 South Dakota residents under one or more self-funded plans in violation of SDCL §§ 58-1-2(18), 58-1-3.2, 58-1-5, 58-6-1, 58-18-3, 58-18-4, 58-18-88, 58-33-2, 58-33-40, 58-33-93(7), 58-33-96, and 58-33-97 and SDCL Ch. 58-8;
- 2) SALVASEN has been the subject of complaints filed with the Division for claims and related matters;
- 3) Due to SALVASEN's violations and the substantial evidence of its unlicensed activities in South Dakota, an Order to Cease and Desist is appropriate in these matters pursuant to SDCL §§ 58-4-7 and 58-33-40;
- 4) The above-cited conduct constitutes grounds for the Division to unilaterally issue an Order to Cease and Desist pursuant to SDCL §§ 58-4-7, 58-33-1, and 58-33-40 and to seek further enforcement action as necessary to protect South Dakota consumers;

SALVASEN is aware of and understands the nature of the charges and has been informed that it has the right to notice, hearing, and appeal, and that by agreeing to and signing this Consent Order, agrees to the waiver of these rights;

By the execution of this Consent Order and the entry of the Cease and Desist herein, SALVASEN does not admit to any violations of the laws of the State of South Dakota, but waives the right to contest the allegations contained in this Consent Order in any future actions or proceedings with the Division;

In return for SALVASEN agreeing to the provisions of this Consent Order, the Division agrees not to proceed to a formal hearing and agrees that this Consent Order will constitute an informal final disposition of this matter pursuant to SDCL § 1-26-20;

SALVASEN agrees to the entry of this Consent Order and the Order to Cease and Desist below and to comply therewith in lieu of contesting this matter formally;

SALVASEN further agrees to pay any and all claims lawfully due to South Dakota residents and continue to provide appropriate service for the resolution of said claims until such time when all plans have wound down and all lawful claims have been paid; and

SALVASEN further agrees that this Consent Order may be considered for the purpose of determining an 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;

Wherefore, good cause appearing from the foregoing, it is hereby ORDERED pursuant to SDCL §§ 58-4-7 and 58-33-40 that SALVASEN shall PERMANENTLY CEASE AND DESIST from offering or selling health coverage or health insurance to the residents of the State of South Dakota beginning April 1, 2022; and it is further

ORDERED that SALVASEN pay any and all claims lawfully due to South Dakota residents and continue to provide appropriate service for the resolution of said claims until such time when all plans have wound down and all lawful claims have been paid; and it is further


ORDERED that SALVASEN shall, upon a request from the Division, immediately provide information regarding South Dakota consumers who have or are participating in SALVASEN plans; and it is further

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

ORDERED should SALVASEN fail to comply with the provisions of this Consent Order or the Order to Cease and Desist as contained herein, the Division may seek any and all remedies available at law; and it is further

ORDERED that the provisions of this Consent Order, including the Order to Cease and Desist, shall be effective from the date the Director signs this Order.

Dated at Pierre, South Dakota this 29th day of March, 2022.



Larry Deiter, Director
South Dakota Division of Insurance

[Signature page of SALVASEN follows]

The undersigned on behalf of SALVASEN, represents that 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 day of March, 2022.

Barry Glenn
Signature

BARRY GLENN
Printed Name

PRESIDENT / CEO
Title