

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

IN THE MATTER OF
FIRST ENROLL, LLC

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)

CONSENT ORDER

In resolution of the above titled matter and in lieu of administrative action concerning compliance with the insurance laws of the State of South Dakota, the undersigned parties do hereby agree to the following:

FIRST ENROLL, LLC (hereafter "FIRST ENROLL") whose address of record is 4000 Route 66 Site 348, Tinton Falls, NJ 07753 is an entity that has applied to renew their TPA license in the State of South Dakota;

FIRST ENROLL is aware that the South Dakota Division of Insurance ("Division") has conducted an investigation regarding their activity in this state;

The Division alleges the following with regard to FIRST ENROLL:

- 1) FIRST ENROLL submitted a TPA renewal application on May 2, 2023;
- 2) FIRST ENROLL's prior TPA registration expired on July 1, 2022 and FIRST ENROLL continued operating in South Dakota, in violation SDCL § 58-29D-21;
- 3) Pursuant to SDCL §§ 58-4-7, 58-29D-21, & 58-29D-33, the Director of the Division may deny FIRST ENROLL's TPA renewal application or issue a monetary penalty of up to \$25,000 per violation, for any of the above-cited reasons.

FIRST ENROLL 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, and it affirmatively waives these rights;

In return for FIRST ENROLL agreeing to and complying with the provisions of this Consent Order, the Division agrees that this Consent Order will constitute an informal disposition of this licensing 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, FIRST ENROLL waives its right to contest the allegations contained in this Consent Order in any future actions or licensing procedures with the Division;

FIRST ENROLL agrees to pay \$2,500 pursuant to SDCL §§ 58-29D-31 and 58-4-28.1, in lieu of a Final Order and further agrees to conduct itself in accordance with the insurance laws and regulations of the State of South Dakota;

FIRST ENROLL 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;

Wherefore, good cause appearing from the foregoing, it is hereby ORDERED FIRST ENROLL pay a monetary penalty in the amount of \$2,500 payable to "South Dakota Division of Insurance" to be submitted with this completed Consent Order for deposit in the general fund of the State of South Dakota; and it is further


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

ORDERED that the TPA renewal application of FIRST ENROLL is hereby approved on the effective date of 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 13th day of JUNE, 2023.



Larry Deiter, Director
South Dakota Division of Insurance

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

Dated this 13th day of June, 2023.



Signature of Authorized Representative
Gina Cleary

Printed Name
Chief Financial Officer

Title