

JUN 07 2024

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

FILED

STATE OF NEBRASKA)	
DEPARTMENT OF INSURANCE,)	
)	
PETITIONER,)	CONSENT ORDER
)	
VS.)	
)	
PRODIGY CARE SERVICES LLC,)	CAUSE NO. C-2958
)	
RESPONDENT.)	
)	

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its representative, Cheryl Wolff, and Prodigy Care Services LLC, ("Respondent"), mutually stipulate and agree as follows:

JURISDICTION

1. The Department has jurisdiction over the subject matter and Respondent pursuant to Neb. Rev. Stat. §44-4601, et seq.
2. Respondent was licensed as a pharmacy benefit manager under the laws of Nebraska at all times material hereto.

STIPULATIONS OF FACT

1. The Department initiated this administrative proceeding by filing a petition styled State of Nebraska Department of Insurance vs. Prodigy Care Services LLC, Cause Number C-2958 on May 16, 2024. A copy of the petition was served upon the Respondent, at the Respondent's address registered with the Department by certified mail, return receipt requested and at the email address on file with the Department.
2. The draft petition alleges that Respondent violated Neb. Rev. Stat. § 44-4605(6)(b), as a result of the following conduct:

- a. Respondent first applied for a license as a Pharmacy Benefit Manager (PBM) under the Pharmacy Benefit Manager Licensure and Regulation Act on November 14, 2022. The initial Certificate of Authority (COA) as a PBM was issued effective May 1, 2024. Based upon the date of issuance, and the requirements of Neb. Rev. Stat. § 44-4605(6)(b), the renewal date for the said COA was April 1, 2024.
- b. On March 5, 2024, the Department notified Respondent via the contact email provided by the Respondent that their COA renewal application for licensure as a PBM was due on or before April 1, 2024.
- c. The Department did not receive the Respondent's renewal application or payment of the renewal fee by April 1, 2024.
- d. On April 2, 2024, the Department sent a second email notice to the Respondent that the Department had no record of receiving Respondent's COA renewal application and payment for the annual license renewal fee.
- e. The Respondent submitted the renewal application and license fee on April 26, 2024. The Department received Respondent's renewal application and payment of an annual license renewal fee on April 29, 2024.

3. Respondent was informed of the right to a public hearing. Respondent waives that right and enters into this Consent Order freely and voluntarily. Respondent understands and acknowledges that by waiving its right to a public hearing, Respondent also waives its right to confrontation of witnesses, production of evidence, and judicial review.

4. Respondent is agreeing to this Order and freely admits to the violation of Neb. Rev. Stat. § 44-4605(6)(b).

CONCLUSIONS OF LAW

The conduct of Prodigy Care Services LLC, as alleged above, constitutes a violation of Neb. Rev. Stat. § 44-4605(6)(b), and subjects Respondent to disciplinary action pursuant to Neb. Rev. Stat. §44-4611(4).

CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed to by Respondent, that Respondent shall pay an administrative fine in the amount of five hundred dollars (\$500). The Respondent has thirty days from the date of approval of this consent order by the Nebraska Director of Insurance to pay the fine. The Nebraska Department of Insurance shall retain jurisdiction of this matter for the purpose of enabling the Department to make application for such further orders as may be necessary.

In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing their signatures below.

Cheryl C. Wolff
Cheryl C. Wolff, #22990
1526 "K" Street, Suite 200
Lincoln, Nebraska 68501
(402) 471-4649

June 3, 2024
Date

[Signature]
Prodigy Care Services LLC

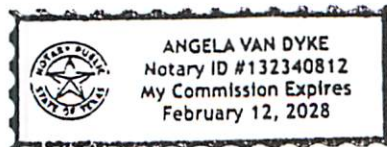
5/30/2024
Date

State of TEXAS)
County of HARRIS) ss.



On this 30th day of MAY, 2024, Prodigy Care Services LLC personally appeared before me and read this Consent Order, executed the same and acknowledged the same to be their voluntary act and deed.

Angela Van Dyke
Notary Public



CERTIFICATE OF ADOPTION

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance vs. Prodigy Care Services LLC, Cause No. C-2958.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



Eric Dunning
Director of Insurance

6/7/24

Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the executed Consent Order was sent to the Respondent at its registered business address at 5900 Balcones Drive, Suite 100, Austin, TX 78731, and its registered mailing address at 5090 Richmond Ave, #163, Houston, TX 77056, by certified mail, return receipt requested, on this 7th day of June, 2024.

I also hereby certify that a copy of the executed Consent Order was sent to the Respondent by mailing a copy to the individual designated as the Contact, Delford I. Doherty. The contact email address provided to the Department for licensure is info@prodigyrx.com, on this 7th day of June, 2024.

