

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 23760-AG24-1023-150

IN THE MATTER OF:)
)
CERIS, Inc.)
5128 Apache Plume Rd., Suite 600)
Fort Worth, TX 76109)
)
Applicant.)
)
Type of Agency Action: Enforcement)
)
Application Number: 1134959)

FILED
DEC 10 2024
STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

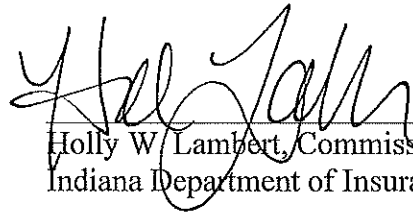
The Enforcement Division of the Indiana Department of Insurance (“Department”), by counsel Joseph Bossinger, and CERIS, Inc. (“Applicant”), a medical claims review corporation applicant, signed an Agreed Entry which purports to resolve all issues involved in the above-captioned cause number, and which has been submitted to the Commissioner of the Indiana Department of Insurance (“Commissioner”) for approval.

The Commissioner, after reviewing the Agreed Entry, which grants approval for a medical claims review certificate of registration and imposes a civil penalty in the amount of four thousand five hundred dollars (\$4,500) due to Applicant acting as a medical claims review corporation without a valid certificate of registration, hereby incorporates the Agreed Entry as if fully set forth herein and approves and adopts in full the Agreed Entry as a resolution of this matter.

IT IS THEREFORE ORDERED by the Commissioner as follows:

1. Applicant shall pay a civil penalty in the amount of four thousand five hundred dollars (\$4,500), within thirty (30) days from the date of this Final Order. Failure to timely pay the civil penalty may result in the Department's denial of Applicant's application.
2. Applicant's Indiana medical claims review certificate of registration shall be granted contingent upon Applicant timely paying the civil penalty and upon Applicant satisfying the requirements under Indiana Code § 27-8-16 and Indiana Administrative Code Title 760, Article 1-49, in coordination with the Department's Specialty Licensing Division.

12-10-24
Dated



Holly W. Lambert, Commissioner
Indiana Department of Insurance

Distribution:

CERIS, Inc.
5128 Apache Plume Rd., Suite 600
Fort Worth, TX 76109

Joseph Bossinger, Attorney
ATTN: Ade Keshinro, SL Investigator
INDIANA DEPARTMENT OF INSURANCE
311 West Washington Street, Suite 300
Indianapolis, Indiana 46204-2787

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AGREED ENTRY

This Agreed Entry is executed by and between the Indiana Department of Insurance (“Department”), by counsel, Joseph Bossinger, and CERIS, Inc. (“Applicant”), to resolve all issues in the above-captioned cause number. This Agreed Entry is subject to the review and approval of Holly W. Lambert, Commissioner of the Indiana Department of Insurance (“Commissioner”).

WHEREAS, Applicant conducted medical claims reviews in Indiana between March 9, 2022, and March 28, 2024, without a certificate of registration issued by the Department;

WHEREAS, Indiana Code § 27-8-16-5(a) states, in part, a claim review agent may not conduct medical claims review concerning health care services delivered to an enrollee in Indiana unless the claim review agent holds a certificate of registration issued by the Department;

WHEREAS, Indiana Code § 27-8-16-12(d)(2)(a) authorizes the Department to order a claim review agent, which the Department has determined to have violated Indiana Code § 27-8-16, to pay a civil penalty of not more than five thousand dollars (\$5,000) if the claim review agent has committed violations with a frequency that indicates a general business practice;

WHEREAS, Greg Dorn, President, of CERIS, Inc., is authorized to act on behalf of Applicant and obligate Applicant to perform in accordance with this agreement; and

WHEREAS, the Department and Applicant (collectively, the "Parties") desire to resolve this matter without the necessity of a hearing.

IT IS, THEREFORE, NOW AGREED by and between the Parties as follows:

1. The Commissioner has jurisdiction over the subject matter and the Parties to this Agreed Entry.
2. To avoid denial of a medical claims review certificate of registration application, Applicant has determined that it is in Applicant's best interest to enter this Agreed Entry. As such, Applicant acknowledges that Applicant executes this Agreed Entry with full realization of its contents and effects.
3. This Agreed Entry is executed knowingly, voluntarily, and freely by the Parties. The Parties agree that the terms of this Agreed Entry constitute final resolution of this matter.
4. Applicant knowingly, voluntarily, and freely waives the right to a public hearing on this matter, including the right to appear in person before the Commissioner, present evidence, cross-examine witnesses, and present arguments.
5. Applicant knowingly, voluntarily, and freely waives the right to judicial review of this matter or otherwise appeal or challenge the validity of this Agreed Entry.
6. Applicant knowingly, voluntarily, and freely waives, releases, and forever discharges all claims or challenges, known or unknown, against the Department, its Commissioner, employees, agents, and representatives, in their individual and official capacities, that arise out of or are related to the Agreed Entry or Final Order, including but not limited to any

act or omission as part of the underlying audit, investigation, negotiation, or approval process.

7. Applicant shall pay a civil penalty in the amount of four thousand five hundred dollars (\$4,500) to the Department within thirty (30) days after the Commissioner signs the Final Order adopting this Agreed Entry. Failure to timely pay the civil penalty may result in the Department taking other administrative action.
8. Applicant's Indiana medical claims review certificate of registration shall be granted contingent upon Applicant timely paying the civil penalty and upon Applicant satisfying the requirements under Indiana Code § 27-8-16 and Indiana Administrative Code Title 760, Article 1-49, in coordination with the Department's Specialty Licensing Division.
9. Applicant has carefully read and examined this Agreed Entry and fully understands its terms.
10. Applicant has had the opportunity to have this Agreed Entry reviewed by legal counsel of Applicant's choosing, at Applicant's own expense, and is aware of the benefits gained and obligations incurred by the execution of this Agreed Entry. Applicant understands and agrees that the Department cannot give Applicant legal advice.
11. Applicant has entered this Agreed Entry knowingly, voluntarily, and freely, and has not been subject to duress, coercion, threat, or undue influence.
12. This Agreed Entry constitutes the entire agreement between the Parties, and no other promises or agreements, express or implied, have been made by the Department or by any employee, director, agent, or other representative thereof to induce Applicant to enter this Agreed Entry.

13. The Department agrees to accept Applicant's compliance with the terms of this Agreed Entry as full satisfaction of this matter and warrants and represents that so long as Applicant complies with the terms of this Agreed Entry, the Department will not bring any further action against Applicant based on the facts that gave rise to this Agreed Entry.
14. In the event the Department finds there has been a breach of any of the provisions of this Agreed Entry, the Department may reopen this matter and pursue alternative action pursuant to Indiana Code § 27-8-16.
15. Applicant waives any applicable statute of limitations for purposes of any enforcement of the terms and conditions of this Agreed Entry.
16. Applicant acknowledges that this Agreed Entry may be admitted into evidence in any judicial or administrative proceeding against Applicant to enforce the terms and conditions contained herein.
17. Applicant understands that this Agreed Entry resolves only the matter pending with the Department and does not affect any criminal prosecution or civil litigation that may be pending or hereinafter commence against Applicant beyond the matter resolved by this Agreed Entry.
18. This Agreed Entry does not in any way affect the Department's authority in future audits, investigations, examinations, negotiations, or other complaints involving Applicant.
19. It is expressly understood that this Agreed Entry is subject to the Commissioner's acceptance and has no force or effect until such acceptance is evidenced by the entry of a Final Order by the Commissioner.
20. Should this Agreed Entry not be accepted by the Commissioner, it is agreed that presentation to, and consideration of this Agreed Entry by the Commissioner, shall not

unfairly or illegally prejudice the Commissioner or Applicant from further participation in or resolution of these proceedings.

21. If this Agreed Entry is accepted by the Commissioner, it will become part of Applicant's permanent record and may be considered in future actions brought by the Department or any other regulator against Applicant. It is further understood that, if accepted by the Commissioner, this Agreed Entry and resulting Final Order are public records pursuant to Indiana Code § 4-21.5-3-32 that may not be sealed or otherwise withheld from the public and may be reported to the National Association of Insurance Commissioners and published on the Department's website as required.
22. Applicant acknowledges that this is an administrative action that Applicant may be required to report to other jurisdictions in which Applicant is licensed and on future licensing applications.

12/02/2024
Date Signed

Joseph Bossinger
Joseph Bossinger, Attorney
Indiana Department of Insurance

Nov. 20, 2024
Date Signed

Greg Dorn
Greg Dorn, President
CERIS, Inc., Applicant

STATE OF _____)
) SS:
COUNTY OF Tarrant)

Before me a Notary Public for Tarrant County, State of TEXAS,
personally appeared Greg Dorn, on behalf of CERIS, Inc., and being first duly sworn by me upon
his oath, says that the facts alleged in the foregoing instrument are true.

Signed and sealed this 20th day of November, 2024.

Alexis Herrera
Signature

Alexis Herrera
Printed

My Commission expires: 09/04/28

County of Residence: Tarrant

Return executed originals to:
INDIANA DEPT. OF INSURANCE
ATTN: Adebusola Keshinro, Enforcement Division
311 W. Washington St., Suite 103
Indianapolis, IN 46204-2787

