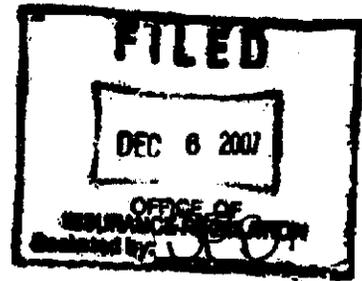




OFFICE OF INSURANCE REGULATION

KEVIN M. McCARTY  
COMMISSIONER



IN THE MATTER OF:

**ASSURED OPTIONS SYSTEM, INC.,**  
**d/b/a MEDMORE**  
2006 Market Conduct Examination

CASE NO.: 91454-07-CO

**CONSENT ORDER**

THIS CAUSE came on for consideration as the result of an agreement between ASSURED OPTIONS SYSTEM, INC., d/b/a MEDMORE (hereinafter referred to as "MEDMORE") and the OFFICE OF INSURANCE REGULATION (hereinafter referred to as the "OFFICE"). Following a complete review of the entire record, and upon consideration thereof, and being otherwise fully advised in the premises, the OFFICE hereby finds as follows:

1. The OFFICE has jurisdiction over the subject matter of, and parties to, this proceeding.
2. MEDMORE is a domestic discount medical plan organization authorized to transact discount medical plan business in Florida and is subject to the jurisdiction and regulation of the OFFICE pursuant to the Chapter 636, Part II, Florida Statutes.
3. The OFFICE conducted a market conduct examination of MEDMORE in 2006 pursuant to Section 636.206, Florida Statutes. As a result, it has been determined that MEDMORE violated the following provisions of the Florida Insurance Code and Florida Administrative Code:

a. Section 636.214(3)(a), Florida Statutes – Failure to have provisions in a provider network agreement that requires the provider network to have written agreements with its providers that contain a description of the services and products to be offered and the amount of discount or a fee schedule.

b. Section 636.214(3)(b), Florida Statutes – Failure to have a provision in a provider network agreement authorizing the provider network to contract with the discount medical plan organization on behalf of the provider.

c. Section 636.214(3)(c), Florida Statutes – Failure to have a provision in a provider network agreement that requires the provider network to submit monthly updates of its contracted providers to the discount medical plan organization.

d. Section 636.228(2), Florida Statutes – Failure to have an executed written agreement with a marketer.

e. Section 636.204(1), Florida Statutes – Conducting business as a discount medical plan organization prior to licensure.

f. Section 636.216(1), Florida Statutes – Use of charges that have not been filed with and approved by the Office.

g. Section 636.216(3), Florida Statutes – Use of forms that have not been filed with and approved by the Office.

h. Section 636.208(2), Florida Statutes – Failure to make full refunds to members who cancelled their membership within 30 days of the enrollment effective date.

i. Section 636.208(4), Florida Statutes – Failure to reimburse members for any portion of a one-time processing fee that exceeds \$30 per year.

j. Section 636.226, Florida Statutes – Failure to maintain an up-to-date and complete provider list on its website; failure to have an Internet website address prominently displayed on advertising materials.

k. Section 636.212(1-5), Florida Statutes – Failure to contain the required disclosures on its website and on advertising materials.

l. Rule 69O-203.203(2)(a), Florida Administrative Code – Use of words, phrases or illustrations in a manner through which they mislead or have the capacity or tendency to deceive or mislead.

4. MEDMORE expressly waives its right to a hearing in this matter, the making of Findings of Fact and Conclusions of Law by the OFFICE, and all further and/or other proceedings herein to which the parties may now or in the future be entitled, either by law or by rules of the OFFICE. MEDMORE hereby knowingly and voluntarily waives all rights to challenge or to contest this Order, in any forum now or in the future available, including the right to any administrative proceeding, circuit or federal court action, or any appeal.

5. MEDMORE agrees that upon the execution of this Consent Order it shall be subject to the following terms and conditions:

a. MEDMORE shall pay an administrative penalty of Nine Thousand Five Hundred Dollars (\$9,500) and administrative costs of Three Thousand Dollars (\$3,000) on or before the 30th day after this Consent Order is executed.

b. MEDMORE shall, within 30 days of the execution of this Consent Order, provide to the OFFICE a certification signed by an officer of the Company that the corrective actions outlined in the examination report have been completed. The certification shall include a

detailed list of all periodic charges and one-time processing fees returned, itemized by member name, member number, and the amount refunded.

6. MEDMORE is hereby placed on notice of the requirements of the above-referenced provisions of law and agrees that any future violations of these statutes and rules by MEDMORE may be deemed willful, subjecting MEDMORE to appropriate penalties.

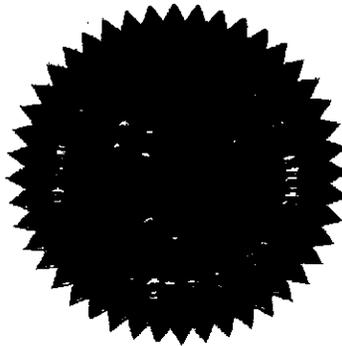
7. MEDMORE agrees that the failure to adhere to one or more of the above terms and conditions of this Consent Order shall constitute a violation of a lawful order of the OFFICE, and shall subject MEDMORE to such administrative action as the OFFICE may deem appropriate.

8. Except as noted above, each party to this action shall bear its own costs and attorney's fees.

THEREFORE, the agreement between MEDMORE and the OFFICE, the terms and conditions of which are set forth above, is APPROVED.

FURTHER, all terms and conditions above are hereby ORDERED.

DONE AND ORDERED this 6TH day of DECEMBER, 2007.



~~KEVIN M. McCARTY~~  
Commissioner  
Office of Insurance Regulation

By execution hereof, ASSURED OPTIONS SYSTEM, INC., D/B/A MEDMORE consents to entry of this Order, agrees without reservation to all of the above terms and conditions, and shall be bound by all provisions herein. The undersigned represents that he or she has the authority to bind ASSURED OPTIONS SYSTEM, INC., D/B/A MEDMORE to the terms and conditions of this Consent Order.

ASSURED OPTIONS SYSTEM, INC., D/B/A  
MEDMORE

Corporate Seal

By: \_\_\_\_\_  
Title: President / CEO  
Date: 11/29/07

STATE OF FLORIDA )  
COUNTY OF DADE )

The foregoing instrument was acknowledged before me this 29 day of November, 2007,  
by FRANK PONCE DE LEON as PRESIDENT for  
(Name of person) (Type of authority.... e.g. officer, trustee, attorney in fact)  
ASSURED OPTIONS SYSTEMS INC., D/B/A MEDMORE  
(Company name)

Personally Known W or Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

\_\_\_\_\_  
(Signature of the Notary)

Notarial Seal

ROLANDO LOPEZ  
(Print, Type or Stamp Commissioned Name of Notary)

My Commission Expires:



**COPIES FURNISHED TO:**

**Frank Ponce de Leon, President & CEO  
Assured Options System, Inc., d/b/a MedMore  
7154 SW 47<sup>th</sup> Street, 2<sup>nd</sup> Floor, Suite C  
Miami, FL 33155**

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Florida Office of Insurance Regulation  
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Tallahassee, FL 32399-4210**

**Jim Bennett, Chief Assistant General  
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