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Attorney for Respondent

**BEFORE THE COMMISSIONER OF SECURITIES AND INSURANCE
OFFICE OF THE MONTANA STATE AUDITOR**

In the Matter of the Proposed Agency
Action Against Medical Review Institute
of America LLC,

Respondent.

Case No. INS-2023-00167

**CONSENT AGREEMENT AND
FINAL ORDER**

This Consent Agreement (Agreement) and Final Order (Order) are entered into by the Commissioner of Securities and Insurance, Office of the Montana State Auditor (CSI) acting pursuant to the authority of the Montana Insurance Code, § 33-1-101 *et seq.*, MCA, and Medical Review Institute of America LLC (Respondent).

RECITALS

WHEREAS CSI alleges that Respondent operated as an independent review organization by conducting external medical reviews for Montana insurers without being registered to do so, in violation of § 33-32-416(10), MCA;

WHEREAS, the CSI believes that the best interests of the public would be served by entering into this Agreement;

WHEREAS Respondent wishes to resolve this matter without further litigation or expense;

NOW, THEREFORE, in consideration of the mutual undertakings contained in this Agreement, CSI and Respondent hereby agree to settle this matter as follows:

STIPULATIONS AND CONSENTS

I. Without admitting to any of CSI's allegations in the Notice of Proposed Agency Action (NOPAA) dated August 31, 2023, Respondent stipulates and consents as follows:

A. Respondent stipulates and agrees to pay a fine in the total amount of \$10,000. Respondent will pay the fine on or before November 1, 2023.

B. The payment shall be sent to the Commissioner of Securities and Insurance, Office of the Montana State Auditor, Attn: Brandy Morrison, Paralegal, 840 Helena Ave, Helena, MT 59601.

C. Respondent agrees that it will not operate as an independent review organization in Montana without first obtaining registration to do so pursuant to § 33-32-416(10), MCA.

D. Respondent fully and forever releases and discharge CSI and all of CSI's employees and agents from any and all actions, claims, causes of action, demands, or expenses for damages or injuries, whether asserted or unasserted, known or unknown, foreseen or unforeseen, arising out of CSI's allegations in the NOPAA.

E. Respondent specifically and affirmatively waives a contested case hearing and all rights to appeal under the Montana Administrative Procedure Act, § 2-4-101 *et seq.*, MCA, and elects to resolve this matter on the terms and conditions herein.

II. All parties to this Agreement stipulate and consent as follows:

A. CSI has jurisdiction over Respondent and the subject matter of this matter pursuant to § 33-1-101 *et seq.*, MCA.

B. CSI agrees not to pursue further civil or administrative action against Respondent regarding CSI's allegations asserted in the NOPAA for so long as Respondent complies with the terms of this Agreement.

C. This Agreement is entered without adjudication of any issue, law, or fact. It is entered into solely for the purpose of resolving CSI's allegations and is not intended to be used for any other purpose. For any person or entity not a party to this Agreement, this Agreement does not limit or create any private rights or remedies against Respondent, limit or create liability of Respondent, or limit or create defenses for Respondent to any claims.

D. The applicable statute of limitations, set forth in § 33-1-707, MCA,

is tolled until final payment under this Agreement with regard to the allegations asserted in this matter. In the event Respondent fails to comply with the terms of this Agreement at any time during the tolling period, CSI may pursue additional administrative action against Respondent.

E. This Agreement constitutes the entire agreement between CSI and Respondent, and no other promises or agreements, either express or implied, have been made by CSI or Respondent or by any member, officer, agent, or representative of CSI or Respondent to induce the other to enter into this Agreement.

F. This Agreement may not be modified orally, and any subsequent modifications to this Agreement must be mutually agreed upon in writing to be effective.

G. This Agreement will be incorporated into and made a part of the attached Final Order issued by the Commissioner.

H. This Agreement shall be effective upon signing of the Final Order. CSI has jurisdiction over the enforcement of the Final Order. Failure to comply with the Final Order may constitute separate violations and may result in subsequent legal actions by CSI.

I. This Agreement is a public record under Montana law and, as such, may not be sealed or otherwise withheld from the public.

By signing this agreement, I agree to be bound by the terms of the agreement.

DATED this 19 day of October 2023.

Ron R. Sullivan

**MEDICAL REVIEW INSTITUTE OF
AMERICA LLC**
Respondent

By: Ron R. Sullivan

Its: CEO

DATED this 24th day of October 2023.


ANDREW J. CZIOK
Legal Counsel for CSI

FINAL ORDER

Pursuant to the authority vested by § 2-4-603, MCA, and § 33-1-101 *et seq.*, MCA, and upon review of the foregoing Consent Agreement, and good cause appearing,

IT IS HEREBY ORDERED that the foregoing Consent Agreement between CSI and Respondent is adopted as a Final Order if set forth fully herein.

DATED this 26th day of October, 2023.


TROY DOWNING
Commissioner of Securities and Insurance,
Office of the Montana State Auditor







Consent Agreement and Final Order MRIOA

Final Audit Report

2023-10-19

Created:	2023-10-16
By:	Sadie Western (Sadie.Western@mrioa.com)
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"Consent Agreement and Final Order MRIOA" History

-  Document created by Sadie Western (Sadie.Western@mrioa.com)
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-  Document emailed to Ron Sullivan (ron.sullivan@mrioa.com) for signature
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-  Signer Ron Sullivan (ron.sullivan@mrioa.com) entered name at signing as Ron R. Sullivan
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-  Document e-signed by Ron R. Sullivan (ron.sullivan@mrioa.com)
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