

In the Matter of Aspirus Arise Health Plan of Wisconsin, Inc.,

STIPULATION
AND ORDER

Case No. 19-C42991

Respondent.

WHEREAS, Aspirus Arise Health Plan of Wisconsin, Inc., 3000 Westhill Drive, Suite 303, Wausau, Wisconsin 54401 ("Respondent"), is subject to the jurisdiction and control of the Office of the Commissioner of Insurance (the "Commissioner") in the State of Wisconsin; and

WHEREAS, a Form A Statement was filed by Aspirus, Inc., with an office address of 3000 Westhill Drive, Suite 303, Wausau, Wisconsin 54401, pursuant to s. 611.72, Wis. Stats., and s. Ins 40.02, Wis. Adm. Code, dated December 28, 2018, seeking approval from the Commissioner for a change of control of the Respondent (the "Change in Control Plan"); and

WHEREAS, the Respondent and the Commissioner have agreed to certain terms and conditions in conjunction with the Commissioner's approval of the Change in Control Plan.

NOW, THEREFORE, the Respondent and the Commissioner do agree and stipulate to the following terms and conditions:

- (1) Respondent shall maintain surplus in excess of its security surplus standard pursuant s. 623.12, Wis. Stat., and s. Ins 51.80 (4), Wis. Adm. Code.
- (2) Respondent shall maintain a ratio of total adjusted capital to authorized control level risk-based capital of not less than 300%.
- (3) The Respondent is responsible for monitoring compliance with this Stipulation and Order. In the event of noncompliance with either paragraph (1) or (2), as calculated based on the most recently available annual statement information or at any time such noncompliance becomes or should have become known, the Respondent shall have a forty-five (45) business day period following the discovery of the occurrence to either cure the noncompliance at issue through receipt of a capital contribution from its ultimate controlling person, Aspirus, Inc., or file a comprehensive plan of corrective actions ("Corrective Plan") with the Commissioner. After reviewing the plan, the Commissioner shall notify the Respondent, within fifteen (15) business days of receiving the Corrective Plan, whether the Corrective Plan is acceptable to the Commissioner.
- (4) If the Respondent is not in compliance with both paragraphs (1) and (2) and the Respondent has neither cured the noncompliance at issue nor filed a Corrective Plan acceptable to the Commissioner within a forty-five (45) business day period following the discovery of the noncompliance, the Respondent shall cease and desist from the writing of new direct or assumed insurance business, unless the Commissioner, in its sole discretion, allows additional time for the Respondent to comply with paragraphs (1) and (2) without the Respondent ceasing and desisting from the writing of new direct or assumed insurance business.
- (5) For purposes of this Stipulation and Order, the application of the Wisconsin Statutes and the Wisconsin Administrative Code are not modified except as explicitly stated herein.
- (6) The Respondent agrees that this Stipulation is made without reservation and constitutes a waiver of valuable rights including a hearing, confrontation and cross-examination of witnesses, production of evidence, making a motion for costs, and judicial review. The Commissioner may

enforce this Stipulation and Order. In addition, if the Respondent is involved in a future administrative or disciplinary action, this Stipulation may be considered. The Respondent acknowledges that the Commissioner may make additional orders or subsequently modify or supersede this Order by making a subsequent order. However, this Stipulation applies only to this Order as originally issued and the Respondent reserves the right to contest any other new orders of the Commissioner or any modifications to this Order.

March 6, 2019

Date

Brett H. Davis

Brett H. Davis
President
Aspirus Arise Health Plan of Wisconsin, Inc.

3/19/2019

Date

Amy J. Malm

Amy J. Malm, Director
Bureau of Financial Analysis and Examinations
Office of the Commissioner of Insurance

ORDER

NOW, THEREFORE, based upon consideration of the Stipulation in this matter, I hereby order that:

- (7) The Respondent shall comply with its agreements as recited in this Stipulation.
- (8) This order shall become effective immediately upon approval of the Change in Control Plan by the Commissioner and shall continue until modified, superseded or terminated by the Commissioner with written notice to the Respondent.

Dated at Madison, Wisconsin, this 19th day of March, 2019.

Mark V. Afable

Mark V. Afable
Commissioner of Insurance