



STATE OF CONNECTICUT

INSURANCE DEPARTMENT

IN THE MATTER OF:)
)
THE ALIERA COMPANIES, Inc.)
)
and) Docket No. MC 19-109
)
TRINITY HEALTHSHARE , Inc.)
)
Respondents)

STIPULATION AND CONSENT ORDER

It is hereby stipulated and agreed between The Alieria Companies , Inc . and its successors and/or assigns ("Alieria"), Trinity Healthshare, Inc. d/b/a Sharity Ministries, Inc. and its successors and/or assigns ("Trinity"), and the State of Connecticut Insurance Department ("Department ") by and through Andrew N. Mais, Insurance Commissioner, to wit:

I

WHEREAS, Alieria, formerly licensed as a nonresident insurance producer by the Department under the name Alieria Healthcare, Inc., license number 002571864, is an entity organized under the laws of the State of Delaware with its principal place of business at 990 Hammond Drive, Suite 700, Atlanta, GA 30328.

WHEREAS, Trinity. is a not-for-profit corporation organized under the laws of the State of Delaware with its principal place of business at 590 1 Peachtree Dunwoody Road, Suite C-160 , Atlanta, GA 30328.

WHEREAS, on December 2, 2019 the Insurance Commissioner ("Commissioner") issued a Cease & Desist Order ("Order") against Alieria and Trinity containing certain allegations that Alieria and Trinity (1) had acted as insurers and had been transacting the business of insurance in the State of Connecticut by marketing their insurance plans to Connecticut residents or persons

authorized to do business in this state without first having obtained a certificate of authority from the Commissioner to do so; (2) had provided health insurance to Connecticut residents without having previously filed such health insurance products with the Commissioner and having obtained the Commissioner's approval; and (3) had conducted business in violation of pertinent Connecticut laws that prohibit doing an insurance business in this State without a certificate of authority.

WHEREAS, the Commissioner alleged that Alieria's and Trinity's conduct described above was in violation of Sections 38a-41, 38a-271 through 38a-277, inclusive, 38a-481 and 38a-513 of the Connecticut General Statutes, and constituted cause pursuant to Sections 38a-17 of the Connecticut General Statutes for the issuance of the Order.

WHEREAS, Alieria and Trinity filed timely requests for a hearing with the Department to contest the issuance of the Order and the allegations contained therein.

II

WHEREAS, Alieria and Trinity have denied in their answer the findings of fact and the conclusions of law contained in the Order, but are willing to resolve the matter amicably and settle all issues raised by the Order.

WHEREAS, Alieria and Trinity acknowledge that enforcement of the Order implicates novel issues of law and would result in protracted litigation and considerable time and expense.

WHEREAS, in an effort to avoid the expenses and uncertainty of litigation and the potential penalties that could result from an administrative proceeding, Alieria and Trinity, while not admitting to any findings of fact and the conclusions of law contained in the Order, agree to voluntarily waive:

- a. any right to a hearing;
- b. any requirement that the Commissioner's decision contain findings of fact and conclusions of law; and
- c. any and all rights to object to or challenge before the Commissioner or in any judicial proceedings any aspect, provision or requirement of this Stipulation and Consent Order.

WHEREAS, Alieria and Trinity agree to withdraw their requests for a hearing in this matter.

WHEREAS, the Commissioner agrees to rescind the Order.

WHEREAS, in consideration of the above, Alieria and Trinity agree to pay collectively, upon execution of this Stipulation and Consent Order, the sum of fifty thousand dollars (\$50,000.00), which shall be shared equally by Alieria and by Trinity, to the Department to resolve the matter.

WHEREAS, Alieria and Trinity agree that they will cease offering Trinity's health care sharing programs or enrolling new members in Connecticut, provided that any current Connecticut members, who remain in good standing, who desire to retain their memberships may remain enrolled in their respective programs, at the sole discretion of any such members, and that Alieria and Trinity shall continue to administer contributions for such members' health expenses in accordance with the current guidelines governing each member's program so long as the program is still available in Connecticut.

WHEREAS, at the end of a three-year period following the date of execution of this Stipulation and Consent Order Alieria and Trinity may petition the Commissioner for permission to resume accepting new members in Connecticut upon filing with the Department all pertinent information to prove that their activities in the State would not constitute the business of insurance and that any programs and plans proposed to be offered would not be considered insurance products under Connecticut laws in force at the time of such petition, provided that Alieria and Trinity are not waiving any legal right they may have to address any adverse determination by the Commissioner.

WHEREAS, Alieria and Trinity agree to cooperate with the Department to resolve in good faith and in an expedited manner any consumer complaints filed by Connecticut members and, in such respect, will provide the Department with the contact information of the individuals within their organizations with the authority to address and resolve directly and in a reasonable time such complaints.

WHEREAS, Alieria and Trinity agree to provide to current Connecticut members of Trinity's HCSM, within three weeks from the date of execution of this Stipulation and Consent Order at each member current mailing and e-mail address, a written notice advising them (1) of the specific nature, benefits, features, conditions, exclusions and limitations of the program in which they are currently enrolled; and (2) that they have the option to retain their memberships or to seek alternative coverage, at such member's sole discretion, provided that any member may remain enrolled until such time as alternative coverage has been procured.

WHEREAS, Alieria and Trinity will provide to the Department a copy of the proposed written notice to be sent to Connecticut members and obtain the Department's approval for its use prior to any mailing.

WHEREAS, the Department shall retain the right to enforce any violations of the terms of this Stipulation and Consent Order or violation of insurance laws arising out of conduct subsequent to the execution of this Stipulation and Consent Order.

WHEREAS, this Stipulation and Consent Order is binding only on the signatories thereto, is not intended to be used for any other purpose, and cannot be construed as entered into for the purpose of addressing, settling, releasing or precluding any other claims or actions arising out of the facts alleged herein that could be advanced or maintained by third parties against Alera and Trinity.

WHEREAS, this Stipulation and Consent Order is based solely on the application of the Connecticut Insurance Code to the specific facts of the Department's investigation in this case. Alera, Trinity, and the Commissioner are the only parties to this Stipulation and Consent Order. Therefore, this Stipulation and Consent Order, and any provision, findings, or conclusions contained herein, do not, and is not intended to, determine any factual or legal issue in any other jurisdiction, or have any preclusive or collateral estoppel effects in any lawsuit or action by any person or party other than the Commissioner.

NOW THEREFORE, upon consent of the parties and in accordance with the provisions of this Stipulation and Consent Order, it is hereby agreed that:

1. The Insurance Department has jurisdiction over the subject matter of this Stipulation and Consent Order;
2. The Commissioner hereby rescinds the Cease and Desist Order issued against Alera and Trinity on December 2, 2019;
3. Alera and Trinity hereby withdraw their request for a hearing in this matter;
4. Alera and Trinity, in consideration thereof, shall pay collectively, upon execution of this Stipulation and Consent Order, the sum of fifty thousand dollars (\$50,000.00), which shall be shared equally by Alera and by Trinity.

Consented and agreed to on this _____ day of _____, 2021.

THE ALIERA COMPANIES, INC.

By [Signature]

Shelly Steele
Printed Name

CEO
Title

Sworn to and Subscribed
before me this 23 day
of April ~~2020~~ 2021

Chelsea Beard
Notary Public



TRINITY HEALTHSHARE, INC.

By _____

Printed Name _____

Title _____

Sworn to and Subscribed
before me this _____ day
of _____ 2020

Consented and agreed to on this ____ day of _____, 2021.

THE ALIERA COMPANIES, INC.

By

Printed Name

Title

Sworn to and Subscribed
before me this day
of 2020

Notary Public

TRINITY HEALTHSHARE, INC.
William H. Theas II

By
William H. Theas II

Printed Name
CEO

Title

Sworn to and Subscribed
before me this *25th* day
of *April* 2020

[Signature]



Notary Public

Section below to be completed by State of Connecticut Insurance Department

SO ORDERED at Hartford, Connecticut this 26th day of April, 2021



Andrew N. Mais
Insurance Commissioner