



**FILED**

APR 23 2024

INSURANCE REGULATION  
Docketed by: ke

## OFFICE OF INSURANCE REGULATION

**MICHAEL YAWORSKY**  
COMMISSIONER

IN THE MATTER OF:  
ALIGN SENIOR CARE FLORIDA, INC.

CASE NO.: 325107-24-CO

### CONSENT ORDER

THIS CAUSE came on for consideration upon the receipt of information regarding ALIGN SENIOR CARE FLORIDA, INC. (“ALIGN SENIOR”). Following a complete review of the entire record, and upon consideration thereof, and being otherwise fully advised in the premises, the FLORIDA OFFICE OF INSURANCE REGULATION (“OFFICE”) hereby finds as follows:

1. The OFFICE has jurisdiction over the subject matter and the parties herein.
2. ALIGN SENIOR is a licensed Health Maintenance Organization (“HMO”) domiciled in the state of Florida and subject to the jurisdiction and regulation of the OFFICE, pursuant to Part I of Chapter 641, Florida Statutes.
3. ALIGN SENIOR is a wholly-owned subsidiary of Innovative Long-Term Care Management, Inc.
4. The OFFICE issued a Certificate of Authority to ALIGN SENIOR on April 20, 2020.
5. ALIGN SENIOR writes Medicare Advantage in Florida through a contract with the Centers for Medicare & Medicaid Services.



6. On January 5, 2024, ALIGN SENIOR submitted a request to expand its Medicare Advantage Service Area in Florida for contract year 2025. As part of the request, ALIGN SENIOR submitted an updated plan of operations and supporting financial projections on January 5, 2024. ALIGN SENIOR submitted revised supporting financial projections on March 21, 2024, and March 23, 2024.

7. The OFFICE has relied on the updated plan of operations and supporting financial projections (“PROJECTIONS”) provided by ALIGN SENIOR in relation to the Florida Service Area Expansion for contract year 2025.

8. The OFFICE approves ALIGN SENIOR’s request to expand its Service Area for 2025. ALIGN SENIOR agrees that upon execution of this Consent Order, it shall be subject to the following terms and conditions:

a) Based upon the PROJECTIONS, ALIGN SENIOR shall pre-fund all projected losses to be incurred for 2024 by May 15, 2024. By no later than May 15, 2024, ALIGN SENIOR shall confirm receipt of funding for projected losses by providing documentation evidencing sufficient funding has been received.

b) Additionally, based upon the PROJECTIONS, ALIGN SENIOR shall pre-fund all projected losses to be incurred for 2025 by September 30, 2024, before open enrollment begins. By no later than September 30, 2024, ALIGN SENIOR shall confirm receipt of funding for projected losses by providing documentation evidencing sufficient funding has been received.

c) For 2024 and going forward, on a quarterly basis, if it is determined that actual losses are greater than projected losses initially represented in the PROJECTIONS, ALIGN SENIOR shall:



- i. Provide a plan for funding actual losses, within 5 business days of the determination;
- ii. Provide the required additional funding within 45 days of the quarter end date to correspond with the quarterly or annual financial statement filing deadlines. Documentation evidencing sufficient funding has been received shall be filed in the corresponding quarterly or annual financial statement filing by the required filing deadlines; and,
- iii. Provide revised financial projections with quarterly or annual financial statement filing by the required filing deadlines.

d) The OFFICE may reconsider the funding of losses on a quarterly basis once ALIGN SENIOR demonstrates two consecutive annual financial statements which reflect positive net income.

9. Any deadlines, reporting requirements, other provisions, or requirements set forth in this Consent Order may be altered or terminated by written approval of the OFFICE. Such approval must be requested in writing prior to any proposed deviation from the terms of this Consent Order and submitted no less than 5 business days prior to a deadline.

10. ALIGN SENIOR affirms that all requirements set forth herein are material to the issuance of this Consent Order.

11. ALIGN SENIOR expressly waives a hearing in this matter, the making of findings of fact and conclusions of law by the OFFICE, and all further and other proceedings herein to which they may be entitled by law or rules of the OFFICE. ALIGN SENIOR hereby knowingly and voluntarily waives all rights to challenge or to contest this Consent Order in any forum



available to them, now or in the future, including the right to any administrative proceeding, state or federal court action, or any appeal.

12. Each party to this action shall bear its own costs and fees.

13. ALIGN SENIOR agrees that, upon execution of this Consent Order, failure to adhere to one or more of the terms and conditions contained herein may result, without further proceedings, in the OFFICE suspending, revoking, or taking other administrative action as it deems appropriate upon ALIGN SENIOR's Certificate of Authority in this state, in accordance with Sections 120.569(2)(n) and 120.60(6), Florida Statutes.

14. The parties agree that this Consent Order shall be deemed to be executed when the OFFICE has signed and docketed a copy of this Consent Order bearing the notarized signatures of the authorized representatives of ALIGN SENIOR.



WHEREFORE, the agreement between ALIGN SENIOR CARE FLORIDA, INC., and the FLORIDA OFFICE OF INSURANCE REGULATION, the terms and conditions of which are set forth above, is APPROVED.

FURTHER, all terms and conditions contained herein are hereby ORDERED.

DONE and ORDERED this 23rd day of April, 2024.



A handwritten signature in blue ink, appearing to read "Michael Yaworsky".

Michael Yaworsky, Commissioner  
Office of Insurance Regulation



By execution hereof, ALIGN SENIOR CARE FLORIDA, INC., consents to entry of this Consent Order, agrees without reservation to all of the above <sup>04/16/2024</sup> terms and conditions, and shall be bound by all provisions herein. The undersigned represents that they have the authority to bind ALIGN SENIOR CARE FLORIDA, INC., to the terms and conditions of this Consent Order.

ALIGN SENIOR CARE FLORIDA, INC.

By: Jeremy Dressen  
Signed on 2024/04/16 08:26:40 -5:00

[Corporate Seal]

Print Name: Jeremy Dressen

Title: President and CEO

Date: 04/16/2024

STATE OF Virginia

COUNTY OF Henrico

The foregoing instrument was acknowledged before me by means of  physical presence or

online notarization, this      day of 04/16/2024 2024, by Jeremy Dressen  
(name of person)

as President and CEO for Align senior Care Fl  
(type of authority: e.g., officer, trustee, attorney-in-fact) (company name)

U Fuller  
Signed on 2024/04/16 08:26:40 -5:00

(Print, Type or Stamp Commissioned Name of Notary)

Personally Known  OR Produced Identification     

Type of Identification Produced     

My Commission Expires     

**Andrea R Fuller**  
**Registration # 7998711**  
Electronic Notary Public  
Commonwealth of Virginia  
My commission expires the 30 day of Sep 2026  
Notary Stamp 2024/04/16 05:26:40 PST 0486402775C

Page 6 of 7  
Notarial act performed by audio-visual communication

280AE455-7A21-4942-A674-761306E6F809 — 2024/04/16 08:16:52 -5:00 — Remote Notary



COPIES FURNISHED TO:

JEREMY DRESSEN, PRESIDENT & CEO  
Align Senior Care Florida, Inc.  
8270 Woodland Center Blvd  
Tampa, Florida 33614  
Email: [Jeremy.Dressen@curanahealth.com](mailto:Jeremy.Dressen@curanahealth.com)

RACHEL MARTIN, TREASURER & CFO  
Align Senior Care Florida, Inc.  
8270 Woodland Center Blvd  
Tampa, Florida 33614  
Email: [Rachel.Martin@curanahealth.com](mailto:Rachel.Martin@curanahealth.com)

CAROLYN MORGAN, DIRECTOR  
Life & Health Financial Oversight  
Florida Office of Insurance Regulation  
200 East Gaines Street  
Tallahassee, Florida 32399  
Telephone: (850) 413-5233  
Email: [Carolyn.Morgan@flor.com](mailto:Carolyn.Morgan@flor.com)

CHRISTINA JACKSON, ASSISTANT  
GENERAL COUNSEL  
Florida Office of Insurance Regulation  
200 East Gaines Street  
Tallahassee, FL 32399  
Telephone: (850) 413-3110  
E-Mail: [Christina.Jackson@flor.com](mailto:Christina.Jackson@flor.com)

