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APR 24 2024

INSURANCE REGULATION
Docketed by: ke

OFFICE OF INSURANCE REGULATION

MICHAEL YAWORSKY
COMMISSIONER

IN THE MATTER OF:
GOLD KIDNEY OF FLORIDA, INC.

CASE NO.: 326508-24-CO

CONSENT ORDER

THIS CAUSE came on for consideration upon the receipt of information regarding GOLD KIDNEY OF FLORIDA, INC. ("GOLD KIDNEY"). 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. GOLD KIDNEY is a licensed health maintenance organization domiciled in the state of Florida and subject to the jurisdiction and regulation of the OFFICE, pursuant to Chapter 641, Florida Statutes.
3. GOLD KIDNEY is a 100% owned subsidiary of Gold Kidney Health Plan, Inc.
4. The OFFICE issued a Certificate of Authority to GOLD KIDNEY on April 4, 2023.
5. GOLD KIDNEY writes Medicare Advantage in Florida through a contract with the Centers for Medicare & Medicaid Services.
6. On February 13, 2024, GOLD KIDNEY submitted a request to expand its Medicare Advantage Service Area in Florida for contract year 2025. As part of the request, GOLD KIDNEY

submitted an updated plan of operations and supporting financial projections. On April 5, 2024, GOLD KIDNEY submitted revised supporting financial projections.

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

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

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

b) Additionally, based upon the PROJECTIONS, GOLD KIDNEY 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, GOLD KIDNEY shall confirm receipt of funding for projected losses by providing documentation evidencing sufficient funding has been received.

c) For 2024 and going forward, if it is determined that actual losses are greater than projected losses initially represented in the PROJECTIONS, GOLD KIDNEY 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 GOLD KIDNEY 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. GOLD KIDNEY affirms that all requirements set forth herein are material to the issuance of this Consent Order.

11. GOLD KIDNEY 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. GOLD KIDNEY 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. GOLD KIDNEY 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 GOLD KIDNEY'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 GOLD KIDNEY.

WHEREFORE, the agreement between GOLD KIDNEY OF 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 24th day of April, 2024.



A handwritten signature in blue ink, which appears to read "Michael Yaworsky". The signature is written in a cursive style and is positioned above a horizontal line.

Michael Yaworsky, Commissioner
Office of Insurance Regulation

By execution hereof, GOLD KIDNEY OF FLORIDA, INC., consents to entry of this Consent Order, agrees without reservation to all of the above terms and conditions, and shall be bound by all provisions herein. The undersigned represents that they have the authority to bind GOLD KIDNEY OF FLORIDA, INC., to the terms and conditions of this Consent Order.

GOLD KIDNEY OF FLORIDA, INC.

By: Dave Firdaus

[Corporate Seal]

Print Name: Dave Firdaus

Title: CEO

Date: 4/23/2024

STATE OF Florida

COUNTY OF Hillsborough

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

online notarization, this 23rd day of April 2024, by Dave Firdaus
(name of person)

as CEO for Gold Kidney of Florida Inc.
(type of authority: e.g., officer, trustee, attorney-in-fact) (company name)

Kathleen Daly
(Signature of the Notary)

Kathleen Daly
(Print, Type or Stamp Commissioned Name of Notary)

Personally Known _____ OR Produced Identification X

Type of Identification Produced Driving License

My Commission Expires 7-12-2025



COPIES FURNISHED TO:

DAVE FIRDAUS, CHIEF EXECUTIVE OFFICER
GOLD KIDNEY OF FLORIDA, INC.
8502 E. Princess Drive, #260
Scottsdale, AZ 85260
Email: dave.firdaus@goldkidney.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

CHRISTINA JACKSON, ASSISTANT
GENERAL COUNSEL
Florida Office of Insurance Regulation
200 East Gaines Street
Tallahassee, FL 32399
Telephone: (850) 411-4170
E-Mail: Christina.Jackson@flor.com