

No. **2025-9244**

**Official Order
of the
Texas Commissioner of Insurance**

Date: 04/08/2025

Subject Considered:

Peoples Pharmacy Inc
4977 US Highway 98 N
Lakeland, Florida 33809-3657

Default Order
TDI Enforcement File No. 36062

General Remarks and Official Action Taken:

This is a default order taken against People's Pharmacy Inc (Respondent) because it failed to comply with requirements to maintain its third-party administrator (TPA) certificate of authority. Respondent did not respond to a Notice of Allegations mailed by the Texas Department of Insurance. This order revokes Respondent's certificate of authority.

The following findings of fact and conclusions of law are adopted.

Findings of Fact

Failure to Respond to Notice of Allegations

1. On December 12, 2024, the department sent a Notice of Allegations, attached as Exhibit A, to Respondent.
2. The department sent the Notice of Allegations to Respondent's last known address provided in writing to the department, 4977 US Highway 98 N Lakeland, Florida 33809-3657.
3. Respondent received and waived an opportunity for a hearing because Respondent failed to send the department a written response to the Notice of Allegations within 20 days after the date the Notice of Allegations was mailed.

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4. The department's factual allegations set out in the attached Notice of Allegations are incorporated in this order as findings of fact.

Conclusions of Law

1. The commissioner has jurisdiction under Texas law, including TEX. INS. CODE §§ 82.051–82.055, 4151.051, 4151.056, 4151.205, 4151.206, 4151.212, 4151.301–4151.309; TEX. GOV'T CODE §§ 2001.051–2001.178, 2001.003(1); and 28 TEX. ADMIN. CODE §§ 7.1601, 7.1603, and 7.1609.
2. The commissioner has authority to dispose of this case informally under TEX. GOV'T CODE § 2001.056; TEX. INS. CODE § 82.055; and 28 TEX. ADMIN. CODE § 1.47.
3. The department provided proper notice to Respondent under TEX. GOV'T CODE §§ 2001.003(1), 2001.051, 2001.052, 2001.054, and 2001.056(4), and 28 TEX. ADMIN. CODE §§ 1.28 and 1.47.
4. Based on Respondent's failure to send the department a written response to the Notice of Allegations, the department is entitled to disposition by default under 28 TEX. ADMIN. CODE § 1.47.
5. Respondent failed to show compliance with the law.
6. The department's factual and legal allegations set out in the attached Notice of Allegations are incorporated in this order and deemed admitted as true under 28 TEX. ADMIN. CODE § 1.47.

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Order

It is ordered that the third-party administrator certificate of authority held by Peoples Pharmacy Inc is revoked.

It is also ordered that Peoples Pharmacy Inc cease and desist engaging in the business of a third-party administrator in Texas.

Signed by:

FC5D7EDDFB4F8...

Cassie Brown
Commissioner of Insurance

Prepared and reviewed by:



Victor Moya III, Staff Attorney
Enforcement

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Affidavit

STATE OF TEXAS §

§

COUNTY OF TRAVIS §

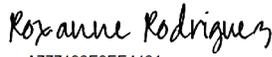
Before me, the undersigned authority, personally appeared Roxanne Rodriguez, who, being by me duly sworn, deposed as follows:

"My name is Roxanne Rodriguez and I am employed by the Texas Department of Insurance. I am of sound mind, capable of making this affidavit, and have personal knowledge of these facts which are true and correct.

I have reviewed TDI's records concerning Peoples Pharmacy Inc. I have confirmed that:

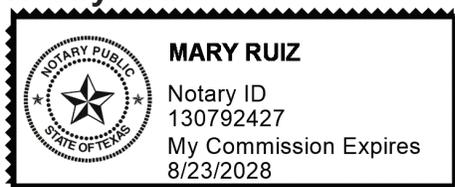
- a. The last mailing address provided to the department in writing by Peoples Pharmacy Inc is 4977 US Highway 98 N Lakeland, Florida 33809-3657.
- b. The file maintained by Enforcement contains a Notice of Allegations dated December 12, 2024, which was sent to Peoples Pharmacy Inc.
- c. On December 12, 2024, the Notice of Allegations addressed to Peoples Pharmacy Inc was mailed first-class and certified, return receipt requested, to its last known address.

Copies of the first-class mail log and certified mail log maintained by Enforcement are attached as Exhibit B and Exhibit C, respectively."

Signed by:

A777133E8EE4431...
Affiant

SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 2/12/2025. This notarial act was an online notarization.

Notary Seal



Digital Certificate

Signed by:

795DC4D59167489...
Notary Public State of Texas

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PO Box 12030 | Austin, TX 78711 | 800-578-4677 | tdi.texas.gov

December 12, 2024

Peoples Pharmacy Inc
4977 US Highway 98 N
Lakeland, FL 33809-3657

Via CM/RRR No. 9214 8901 9403 8391 3751 16
Via Email: peoplespharmacy@peoplesrx.net
Via First Class Mail

TDI ENFORCEMENT CASE NO. 36062
NOTICE OF ALLEGATIONS AGAINST PEOPLES PHARMACY INC

The Texas Department of Insurance (TDI) seeks to take disciplinary action against Peoples Pharmacy Inc to revoke its certificate of authority to act as a third party administrator. This Notice states the allegations against Peoples Pharmacy Inc and the relief sought by TDI.

YOUR WRITTEN RESPONSE IS REQUIRED WITHIN 20 DAYS

YOU HAVE THE RIGHT TO A HEARING AND ARE INVITED TO SHOW COMPLIANCE WITH THE LAW. To request a hearing, you must send a written response to TDI within 20 days of the date this Notice was mailed.

If you fail to send a written response by the deadline, *you waive your right to a hearing*, and TDI may seek disposition by default under 28 TEX. ADMIN. CODE § 1.47, TEX. INS. CODE § 82.055, and TEX. GOV'T. CODE § 2001.056.

If you fail to send a written response by the deadline, without further notice to you, the commissioner of insurance may issue a default order that admits the factual matters asserted, deems all allegations as true, and orders the relief recommended in this Notice.

You must send your written response by mail, fax, or email to:

Victor Moya III, Staff Attorney
Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 490-1020 (Fax)
Victor.Moya@tdi.texas.gov



Jurisdiction

The commissioner of insurance has jurisdiction over this matter under TEX. INS. CODE §§ 82.051–82.055, 4151.051, 4151.056, 4151.205, 4151.206, 4151.212, 4151.301–4151.309; TEX. GOV'T CODE §§ 2001.051–2001.178; 28 TEX. ADMIN. CODE §§ 7.1601, 7.1603, and 7.1609; and TEX. GOV'T CODE § 2001.003(1).

Factual Allegations

1. On August 26, 2020, TDI issued Peoples Pharmacy Inc third party administrator (TPA) certificate of authority no. 2989278.
2. Texas law states that TPA certificates of authority are effective until suspended, canceled, or revoked.
3. TPAs must file annual reports by June 30th of each year covering the preceding calendar year. The report must include an audited financial statement performed by an independent certified public accountant.
4. TPAs must pay a non-refundable \$200 filing fee for each annual report.
5. A TPA is subject to discipline, including revocation of its certificate of authority, if it fails to timely file its annual report.
6. Peoples Pharmacy Inc failed to file its annual reports and pay the associated \$200 filing fees for calendar years 2019–2023.
7. On July 23, 2020, Peoples Pharmacy Inc filed an application for registration as a foreign for-profit corporation with the Texas Secretary of State.
8. On June 24, 2022, the Texas Secretary of State forfeited the registration of Peoples Pharmacy Inc.

Legal Allegations

1. Peoples Pharmacy Inc failed to timely file annual TPA reports by June 30th on a form prescribed by the commissioner, in violation of TEX. INS. CODE §§ 4151.205 and 4151.301(14), and 28 TEX. ADMIN. CODE § 7.1609.

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2. Peoples Pharmacy Inc failed to pay the annual \$200 TPA filing fee in violation of TEX. INS. CODE § 4151.206(a)(3) and 28 TEX. ADMIN. CODE § 7.1609(a).
3. Peoples Pharmacy Inc failed to maintain at all times the qualifications for a certificate of authority, as required by TEX. INS. CODE § 4151.212 and 28 TEX. ADMIN. CODE § 7.1607(e).
4. Peoples Pharmacy Inc has willfully violated an insurance law of this state, as contemplated by TEX. INS. CODE § 4151.301(1).
5. Peoples Pharmacy Inc has willfully violated a commissioner rule, as contemplated by TEX. INS. CODE § 4151.301(10).

Relief Sought

TDI seeks the following relief:

1. revocation of your TPA certificate of authority;
2. an order mandating you cease and desist from engaging in the acts of a TPA in Texas; and
3. imposition of any other just and appropriate relief to which the department may be entitled to by law, including any combination of the above actions.

Respectfully,



Victor Moya III
State Bar No. 24104330
Texas Department of Insurance
Enforcement, MC ENF

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P.O. Box 12030
Austin, Texas 78711-2030
(512) 676-6332 (Direct)
(512) 490-1020 (Fax)
Victor.Moya@tdi.texas.gov

cc: Leah Gillum, Deputy Commissioner, Fraud and Enforcement Division, MC: ENF
Ginger Loeffler, Litigation Director, Enforcement, MC: ENF

CERTIFICATE OF SERVICE

I, Victor Moya III, certify that a true and correct copy of this *Notice of Allegations Against Peoples Pharmacy Inc* was sent by the following methods on this 12th day of December, 2024 to:

Peoples Pharmacy Inc
4977 US Highway 98 N
Lakeland, FL 33809-3657

Via CM/RRR No.: 9214 8901 9403 8391 3751 16
Via First Class Mail
Via Email: peoplespharmacy@peoplesrx.net

A handwritten signature in black ink that reads "Victor Moya III". The signature is written in a cursive style with a large, stylized "V" and "M".

Victor Moya III

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Shipment Confirmation Acceptance Notice



A. Mailer Action

Note to Mailer: The labels and volume associated to this form online, **must** match the labeled packages being presented to the USPS® employee with this form.

Shipment Date: 12/12/2024

Shipped From:

Name: ENF M RUIZ

Address: 1601 CONGRESS AVENUE

City: AUSTIN

State: TX ZIP+4® 78701

Type of Mail	Volume
Priority Mail Express®	
Priority Mail®	
First-Class Package Service®	
Returns	
International*	
Other	1
Total	1

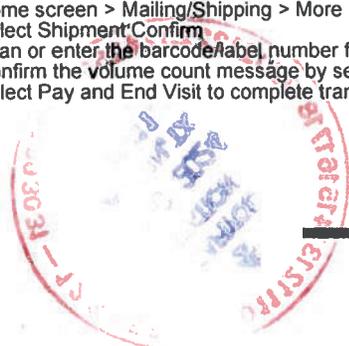
*Start time for products with service guarantees will begin when mail arrives at the local Post Office™ and items receive individual processing and acceptance scans.

B. USPS Action

Note to RSS Clerk:

1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. Select Pay and End Visit to complete transaction

USPS EMPLOYEE: Please scan upon pickup or receipt of mail.
Leave form with customer or in customer's mail receptacle.



USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0057 6445 84

moya/36062

EXHIBIT

Exhibit C





Firm Mailing Book For Accountable Mail

Name and Address of Sender
ENF M RUIZ
1601 CONGRESS AVENUE
STE 6:900
AUSTIN TX 78701

- Check type of mail or service
- Adult Signature Required
 - Adult Signature Restricted Delivery
 - Certified Mail
 - Certified Mail Restricted Delivery
 - Collect on Delivery (COD)
 - Insured Mail
 - Priority Mail
 - Priority Mail Express
 - Registered Mail
 - Return Receipt for Merchandise
 - Signature Confirmation
 - Signature Confirmation Restricted Delivery

Addressee (Name, Street, City, State, & ZIP Code™)

USPS Tracking/Article Number
9214 8901 9403 8391 3751 16
moya/36062

PEOPLES PHARMACY INC
4977 US HIGHWAY 98 N
LAKELAND, FL 33909-3657

Affix Stamp Here
(for additional copies of this receipt).
Postmark with Date of Receipt.

Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
0.69	4.85	Handling Charge - if Registered and over \$50,000 in value							2.62			
						Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling

RECEIVED
DEC 13 2024
TDI - ENFORCEMENT



Total Number of Pieces Listed by Sender: 1
Total Number of Pieces Received at Post Office: 1

Postmaster, Per (Name of receiving employee)

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