

No. **2025-9362**

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

Date: 06/23/2025

Subject Considered:

MeridianRx, LLC
1 Campus Martius Ste 750
Detroit, Michigan 48226-5013
TDI Enforcement File No. 36054

Order on Motion for Rehearing

General Remarks and Official Action Taken:

The subject of this order is the motion for rehearing that MeridianRx, LLC (MeridianRx) submitted to set aside Commissioner's Order No. 2025-9286 and reopen the record. This order approves MeridianRx's motion.

Background

On May 2, 2025, Commissioner's Order No. 2025-9286 was issued, revoking MeridianRx's third-party administrator (TPA) certificate of authority and ordering that MeridianRx cease and desist engaging in the business of a third-party administrator in Texas. The order was issued following MeridianRx's failure to respond to the notice of allegations sent by Texas Department of Insurance (TDI) Enforcement staff to MeridianRx under Tex. Admin. Code § 1.47.

On May 27, 2025, MeridianRx submitted to TDI a motion for rehearing requesting that the default order be set aside and the record reopened. On May 30, 2025, TDI Enforcement staff submitted a reply opposing MeridianRx's motion.

Discussion

Under 28 Tex. Admin. Code § 1.47(d)(2), a motion to set aside a default order and reopen the record will be granted if the requesting party establishes that the failure to file a written response to a notice of allegations was neither intentional nor the result of conscious indifference, and that such failure was due to a mistake or accident.

Under Government Code § 2001.146, a motion for rehearing must be filed no later than the 25th day after the date the order is signed unless an extension is granted. The motion must identify with particularity findings of fact or conclusions of law that are

the subject of the complaint and any evidentiary or legal ruling claimed to be erroneous. The motion must also state the legal and factual basis for the claimed error.

In its motion, MeridianRx explained that it did not receive the notice of allegations because the notice was sent to an old address. In 2018, MeridianRx was purchased by WellCare Health Plans, Inc. (WellCare), and in 2020 WellCare was purchased by Centene Corporation (Centene). After acquiring Wellcare, Centene sought to cancel all of MeridianRx's existing TPA licenses and certifications. However, due to an unknown error, it failed to cancel MeridianRx's TPA certificate in Texas. It was unaware that the certificate was still active, and as such, was unaware of the requirement to provide a current address to TDI.

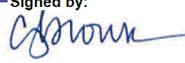
MeridianRx provided a declaration signed by Kenneth R. Koshorek, an officer of the corporation, attesting to the information in the motion for rehearing. The declaration noted that 72 licenses were terminated, and internal procedures indicated that all off MeridianRx's licenses and certificates had been terminated as of 2022.

TDI Enforcement staff responded that the service was proper because MeridianRx had failed to update its address with TDI, and the notice was sent to its last known address. In addition, the notice of allegations was sent to an email address on file for MeridianRx.

Based on the information and statements provided in Mr. Koshorek's declaration, there is evidence to support the claim that MeridianRx's failure to respond to the notice of allegations was not intentional or due to conscious indifference, but was due to a mistake or accident. Therefore, MeridianRx's motion for rehearing should be granted.

Order

It is ordered that MeridianRx, LLC's motion for rehearing is granted. Commissioner's Order No. 2025-9286 is set aside, and the record is reopened for further action by the parties.

Signed by:

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Cassie Brown

Commissioner of Insurance

Recommended and reviewed by:

Signed by:
Jessica Barta

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Jessica Barta, General Counsel

Signed by:
Justin Beam

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Justin Beam, Chief Clerk