

**FILED**

**OCT 22 2025**

**Department of Insurance  
State of Idaho**

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*Attorneys for Idaho Department of Insurance*

**BEFORE THE DIRECTOR OF THE IDAHO DEPARTMENT OF INSURANCE  
STATE OF IDAHO**

IDAHO DEPARTMENT OF INSURANCE,  
  
Complainant,

vs.

OP PHARMACY LLC, a Delaware limited  
liability company holding Idaho Pharmacy  
Benefit Manager License No. 838811,  
  
Respondent.

Docket No. 18-4736-25

**STIPULATION AND FINAL ORDER**

COME NOW the staff of the Idaho Department of Insurance (“Department”) and OP Pharmacy LLC (“OP”) and do hereby agree and stipulate as follows:

**FINDINGS OF FACT**

1. OP was previously a licensed pharmacy benefit manager in the state of Idaho, holding Idaho Pharmacy Benefit Manager License No. 838811. OP terminated its Pharmacy Benefit Manager License, effective February 28, 2025. During the time periods relevant to this Stipulation, OP was subject to the provisions of title 41, Idaho Code, and to the rules of the Idaho

Department of Insurance promulgated thereunder.

2. The Director of the Department (“Director”) has jurisdiction over OP and the subject matter herein pursuant to provisions of Idaho’s Producer Licensing Act, Idaho Code §§ 41-1001 *et seq.*, as well as the Idaho Insurance Code, Idaho Code §§ 41-101 *et seq.*

3. On July 31, 2025, the Department filed a Verified Complaint and Notice of Right to Hearing, (hereinafter “Verified Complaint”), seeking the imposition of administrative penalties against OP.

4. Among the allegations in the Verified Complaint were that OP violated Idaho Code §§ 41-349(10)(a)(i), 41-349(10)(a)(ii), 41-349(10)(b), and 41-349(13)(d), by failing to file its 2024 Annual Compliance Report, its 2024 Formulary Changes Report, its MAC Appeals Report for the months of October through December of 2024 by the deadline of April 1, 2025, and its MAC Appeals Report for the months of January through March of 2025 by the deadline of July 1, 2025; and that OP violated Idaho Code § 41-247 by failing to timely respond to the Department’s request for information.

5. On or about August 8, 2025, OP filed its missing reports with the Department.

#### **CONCLUSIONS OF LAW**

6. Idaho Code § 41-1016(1) provides that the Director of the Department may impose an administrative penalty of up to \$1,000 for certain enumerated violations.

7. Idaho Code § 41-117 provides that each instance of violation may be treated as a separate offense.

8. The parties agree that this matter may be brought to a close by a negotiated and stipulated settlement and entry of this Stipulation and Final Order.

#### **AGREEMENT**

9. Based upon the foregoing, OP and the Department stipulate and agree as follows:

- a. OP admits to one violation collectively of Idaho Code § 41-349(10)(a)(i) and 10(b) as alleged in Count I of the Department's complaint.
- b. OP admits to one violation of Idaho Code § 41-349(10)(a)(ii) as alleged in Count II of the Department's complaint.
- c. As sanction for the violations referenced above, OP and the Department agree to the penalties set forth below and agree that the Director may enter the Final Order attached hereto, which provides as follows:
  - i. That the Stipulation be adopted in full and incorporated into the Final Order;
  - ii. That OP shall pay an administrative penalty of two thousand dollars (\$2,000), one thousand dollars (\$1,000) for each violation admitted above.

10. By entering into this Stipulation, OP knowingly and voluntarily waives any rights it would otherwise have to notice and a hearing at which they may be represented by counsel, present evidence, and examine witnesses. The parties hereto further waive their right of reconsideration, appeal, and other rights as set forth in title 67, chapter 52, Idaho Code, including the right to submit this matter for review by a court of competent jurisdiction.

11. The parties agree that the terms of this Stipulation and Final Order are appropriate and proper under the circumstances referenced herein.

12. OP acknowledges that it has read this Stipulation and Final Order and understands its contents; that it has been given the opportunity to discuss this Stipulation and Final Order with independent legal counsel of its choosing; and that it has entered into this Stipulation knowingly, voluntarily, and with full knowledge of any rights they may be waiving thereby.

13. OP acknowledges that this is an administrative action that may be required to be

reported on license applications and license renewal forms and disclosed to other agencies through which OP holds a license.

14. This Stipulation is subject to approval by the Director or the Director's designee, and shall become effective and binding upon the Department and OP upon such approval. Should the Director decline to approve this Stipulation and Final Order, the Department and OP shall retain all of their rights, claims and/or defenses, and any factual and/or legal admissions made by OP herein shall be withdrawn.

15. This Stipulation constitutes the full and final resolution of all matters addressed herein, and the Department agrees that, subject to the Director's approval described above, the Department shall seek no further civil or administrative sanctions for the violations alleged in the Verified Complaint, subject to the agreement set forth in Paragraph 9 above.

16. OP agrees that, upon execution of this Stipulation and Final Order, no subsequent action or assertion shall be maintained or pursued in any manner asserting the invalidity of this Stipulation and Final Order and its provisions.

17. This Stipulation and Final Order embodies the entire agreement between the Department and OP, and there are no agreements, understandings, representations, or warranties that are not expressly set forth herein.

18. Upon the Director's entry of the Final Order approving this stipulation, this Stipulation and Final Order shall be a public record under the Idaho Public Records Act.

*Agreed* this 20.00 day of October 2025.

By:   
\_\_\_\_\_  
Michael Propora, President  
OP Pharmacy LLC

Approved as to Form:

By: Jane Sitorius  
Jane Sitorius  
Barnes & Thornburg  
Attorney for Respondent

Agreed this 20th day of October 2025.

State of Idaho  
Department of Insurance

By: Shannon Hohl  
Shannon Hohl  
Bureau Chief, Market Oversight

Approved as to Form:

State of Idaho  
Office of the Attorney General

By: Matt Steen  
Matt Steen  
Deputy Attorney General  
Attorneys for the Department of Insurance

### Final Order

The parties hereto, namely the Idaho Department of Insurance and OP Pharmacy LLC (“OP”) having entered into the foregoing Stipulation, and the form of the order having been approved, the Director, having reviewed the same, does hereby find that there is a factual basis for entry of a Final Order herein and does hereby conclude that OP did violate title 41, Idaho Code, as stated in the Stipulation.

*Now, therefore,* based on the foregoing and in consideration of the premises,

*It is hereby ordered* that the foregoing Stipulation is approved and is incorporated herein as if set forth in full and made a part hereof;

*It is further ordered* that OP is assessed an administrative penalty of two thousand dollars (\$2,000).

*Dated* this 21 day of October 2025.

State of Idaho  
Department of Insurance



Dean L. Cameron  
Director

### **Notice Regarding Reportable Proceedings**

The foregoing is considered a reportable administrative proceeding. As such, it is a public record and is public information that may be disclosed to other states and reported to companies for which you are actively appointed. This information will be reported to the National Association of Insurance Commissioners (NAIC) and will appear in the online searchable database of the Idaho Department of Insurance. You should be aware that this proceeding must be disclosed on any insurance license application and must be reported to any and all states in which you hold an insurance license.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 22<sup>nd</sup> day of October 2025, I caused a true and correct copy of the Stipulation and Final Order to be served upon the following parties by the method(s) indicated below:

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| <p>Jane Sitorius<br/>One North Wacker Drive Ste 4400<br/>Chicago, IL 60606</p> <p><i>Counsel for Respondent</i></p> | <p><input type="checkbox"/> First Class Mail<br/><input type="checkbox"/> Certified Mail<br/><input type="checkbox"/> Hand Delivery<br/><input type="checkbox"/> Facsimile<br/><input checked="" type="checkbox"/> Email: <a href="mailto:jane.sitorius@btlaw.com">jane.sitorius@btlaw.com</a></p> |
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Jan Noriyuki  
Paralegal