

# STATE OF MISSOURI



## DEPARTMENT OF COMMERCE & INSURANCE

P.O. Box 690, Jefferson City, Mo. 65102-0690

*In Re:*

DAVIS VISION, INC.  
(License #3000698414)

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Market Conduct Investigation No. 426786

### ORDER OF THE DIRECTOR

NOW, on this 02<sup>nd</sup> day of August, 2024, Director Chlora Lindley-Myers, after consideration and review of the Stipulation of Settlement and Voluntary Forfeiture (hereinafter “Stipulation”) entered into by the Division of Insurance Market Regulation (hereinafter “Division”), and Davis Vision, Inc. (License #3000698414) (hereinafter “Davis Vision”), relating to the market conduct investigation no. 426786, does hereby issue the following orders:

This order, issued pursuant to §374.046.15<sup>1</sup> and §374.280, is in the public interest.

**IT IS THEREFORE ORDERED** that the Director does hereby approve the Stipulation as agreed to by Davis Vision and the Division.

**IT IS FURTHER ORDERED** that Davis Vision shall not engage in any of the violations of statutes and regulations set forth in the Stipulation, shall implement procedures to place it in full compliance with the requirements in the Stipulation and the statutes and regulations of the State of Missouri, shall maintain those corrective actions at all times, and shall fully comply with all terms of the Stipulation.

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<sup>1</sup> All references, unless otherwise noted, are to Revised Statutes of Missouri 2016.

**IT IS FURTHER ORDERED** that Davis Vision shall pay, and the Department of Commerce and Insurance, State of Missouri, shall accept, the Voluntary Forfeiture of \$2,500.00, payable to the Missouri State School Fund.

**IT IS SO ORDERED.**

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of my office in Jefferson City, Missouri, this 02<sup>nd</sup> day of August, 2024.



*Chlora Lindley Myers*  
Chlora Lindley-Myers  
Director

**IN THE DEPARTMENT OF COMMERCE AND INSURANCE  
STATE OF MISSOURI**

*In Re:* )  
 )  
 **DAVIS VISION, INC.** ) **Market Conduct Investigation No. 426786**  
 **(License #3000698414)** )

**STIPULATION OF SETTLEMENT  
AND VOLUNTARY FORFEITURE**

It is hereby stipulated and agreed by the Division of Insurance Market Regulation (hereinafter the “Division”), and Davis Vision, Inc. (hereinafter “Davis Vision”), as follows:

**WHEREAS**, the Division is a unit of the Missouri Department of Commerce and Insurance (hereinafter the “Department”), an agency of the State of Missouri, created and established for administering and enforcing all laws in relation to insurance companies doing business in the State of Missouri;

**WHEREAS**, Davis Vision has been granted a license to transact the business in the State of Missouri as a Third Party Administrator;

**WHEREAS**, the Division conducted a market conduct investigation of Davis Vision, investigation no. 426786; and

**WHEREAS**, based on the market conduct investigation of Davis Vision, the Division alleges that:

1. Davis Vision omitted two current health care plan clients from its 2022 Missouri Utilization Review Agent renewal application, in violation of § 374.507, RSMo<sup>1</sup>, and 20 CSR 700-4.100(2)(C).

**WHEREAS**, the Division and Davis Vision have agreed to resolve the issues raised in the market conduct investigation as follows:

A. **Scope of Agreement.** This Stipulation of Settlement and Voluntary Forfeiture

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1 All statutory references, unless otherwise noted, are to the 2016 Revised Statutes of Missouri.

(hereinafter “Stipulation”) embodies the entire agreement and understanding of the signatories with respect to the subject matter contained herein. The signatories hereby declare and represent that no promise, inducement or agreement not herein expressed has been made, and acknowledge that the terms and conditions of this agreement are contractual and not a mere recital.

B. **Remedial Action.** Davis Vision agrees to take remedial action bringing it into compliance with the statutes and regulations of Missouri and agrees to maintain those remedial actions at all times. Such remedial actions shall include the following:

1. Davis Vision agrees to file a corrected list of the 2022 and 2023 current health plan clients with the Department’s regulatory services, if it has not already done so.

2. Davis Vision agrees that future reports submitted to the Department shall include an accurate and complete list of Davis Vision’s current health plan clients as required by § 374.507 and 20 CSR 700-4.100(2)(C).

C. **Compliance.** Davis Vision agrees to file documentation pursuant to section 374.190 with the Division, in a format acceptable to the Division, within 30 days of the entry of an Order approving this Stipulation, of any remedial action taken to implement compliance with the terms of this Stipulation.

D. **Voluntary Forfeiture.** Davis Vision agrees, voluntarily and knowingly, to surrender and forfeit the sum of \$2,500.00, such sum payable to the Missouri State School Fund, in accordance with §§ 374.049.11 and 374.280.2.

E. **Non-Admission.** Nothing in this Stipulation shall be construed as an admission by Davis Vision, this Stipulation being part of a compromise settlement to resolve disputed factual and legal allegations arising out of the above referenced market conduct investigation.

F. **Waivers.** Davis Vision, after being advised by legal counsel, does hereby voluntarily and knowingly waive any and all rights to procedural requirements, including notice and an opportunity for a hearing, and review or appeal by any trial or appellate court, which may

have otherwise applied to the market conduct investigation no. 426786.

G. **Amendments.** No amendments to this Stipulation shall be effective unless made in writing and agreed to by authorized representatives of the Division and Davis Vision.

H. **Governing Law.** This Stipulation shall be governed and construed in accordance with the laws of the State of Missouri.

I. **Authority.** The signatories below represent, acknowledge and warrant that they are authorized to sign this Stipulation, on behalf of the Division and Davis Vision, respectively.

J. **Counterparts.** This Stipulation may be executed in multiple counterparts, each of which shall be deemed an original and all of which taken together shall constitute a single document. Execution by facsimile or by electronically transmitted signature shall be fully and legally effective and binding.

K. **Effect of Stipulation.** This Stipulation shall not become effective until entry of an Order by the Director of the Department (hereinafter "Director") approving this Stipulation.

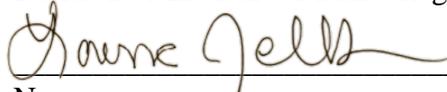
L. **Request for an Order.** The signatories below request that the Director issue an Order approving this Stipulation and ordering the relief agreed to in the Stipulation, and consent to the issuance of such Order.

DATED: July 30, 2024



Teresa Kroll  
Chief Market Conduct Examiner  
Division of Insurance Market Regulation

DATED: 7/18/2024



Name:  
Title: Director, Regulatory Licensing Compliance  
Davis Vision, Inc.