

**STATE OF MAINE
DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BUREAU OF INSURANCE**

IN RE:

EmpiRx Health, LLC
NAIC Entity No. 18072171
ME License No. PMF517371 (application
pending)
ME Registration No. PMF272804 (terminated
by registrant)

Docket No. INS-25-274

**CONSENT AGREEMENT
AND ORDER**

EmpiRx Health, LLC (“EmpiRx” or “Company”), the Superintendent of the Maine Bureau of Insurance (“the Superintendent”), and the Office of the Maine Attorney General (“the Attorney General”) hereby enter into this Consent Agreement pursuant to 10 M.R.S. § 8003(5)(B) to resolve, without resort to an adjudicatory proceeding, violations of Maine’s licensing requirements for pharmacy benefits managers. As set forth in more detail below, EmpiRx’s violated 24-A M.R.S. § 4348 by operating as a pharmacy benefits manager in Maine without a license.

APPLICABLE LAW

1. The Superintendent of Insurance is the head of the Bureau of Insurance, and he is the State official charged with administering and enforcing Maine's insurance laws and regulations under 24-A M.R.S. §§ 201 and 211.
2. Under 24-A M.R.S. § 12-A, the Superintendent may assess civil penalties, issue a cease and desist order, or take any combination of these and other actions listed within this section against any person who violates any law enforced by the Superintendent; any rule lawfully adopted by the Superintendent; or any lawful order of the Superintendent.
3. Pursuant to 10 M.R.S. § 8003(5)(B), the Superintendent may resolve an investigation without further proceedings by entering into a consent agreement with a licensee and with the consent of the Attorney General.
4. “Pharmacy benefits manager” is defined in 24-A M.R.S. § 4347(17) to mean “a person, business or other entity that, pursuant to a contract or under an employment relationship with a carrier, a self-insurance plan or other 3rd-party payer, either directly or through an

intermediary, manages the prescription drug coverage provided by the carrier, self-insurance plan or other 3rd-party payer, including, but not limited to, processing and paying claims for prescription drugs, performing drug utilization review, processing drug prior authorization requests, adjudicating appeals or grievances related to prescription drug coverage, contracting with network pharmacies and controlling the cost of covered prescription drugs.”

5. 24-A M.R.S. § 4348 states that, beginning January 1, 2020, “...a person may not act as a pharmacy benefits manager in this State without first obtaining a license from the superintendent in accordance with this section and paying the licensing fee required under section 601, subsection 28-A.”

STATEMENT OF FACTS

6. EmpiRx first registered as a pharmacy benefits manager in Maine on August 19, 2016, and held registration #PMF272804.
7. Registration was required by 24-A M.R.S. § 1913 (2019), repealed by P.L. 2019, ch. 469, § 5 (eff. Sept. 19, 2019).
8. EmpiRx notified the Bureau of its intent to surrender its Maine registration by email on January 8, 2019.
9. The Company formally surrendered its registration by letter dated January 10, 2019.
10. Registration PMF272804 was terminated, accordingly, effective December 31, 2018.
11. The PBM registration process, repealed by P.L. 2019, ch. 469, § 5, was replaced by the current PBM licensing process.
12. The PBM licensing process is outlined in 24-A M.R.S. § 4348 and requires PBMs operating within the State of Maine to obtain licenses from the Bureau beginning January 1, 2020.
13. The Bureau contacted EmpiRx on May 21, 2025, after learning that EmpiRx was operating as a PBM in Maine without a license.
14. EmpiRx provided information showing that it was acting as a PBM for five (5) Maine employer groups at the time it surrendered its PBM registration in 2018.
15. EmpiRx continued acting as a PBM for these five (5) employer groups and began acting as a PBM for four (4) additional Maine employer groups after January 1, 2020.
16. EmpiRx cooperated with the Bureau’s investigation and filed a PBM license application on June 4, 2025.

VIOLATIONS OF LAW

17. As set forth in paragraphs 6 through 16, EmpiRx operated as an unlicensed PBM for nine (9) Maine employer groups, in violation of 24-A M.R.S. § 4348, from January 1, 2020, through June 4, 2025, when they filed their PBM license application.

COVENANTS

18. EmpiRx agrees to the Statement of Facts and Violations of Law and agrees that it is subject to disciplinary action.
19. EmpiRx accepts the imposition of a civil penalty in the amount of fifty thousand dollars (\$50,000). No later than thirty (30) days after executing this Consent Agreement, EmpiRx will remit to the Maine Bureau of Insurance a company check in the amount of fifty thousand dollars (\$50,000) payable to the Treasurer of the State of Maine.
20. This Consent Agreement is not subject to appeal. EmpiRx waives any right it might have to appeal any matter that is a subject of this Consent Agreement.
21. This Consent Agreement constitutes an Order of the Superintendent. A violation of its terms is enforceable by the Superintendent pursuant to 24-A M.R.S. §§ 12-A and 211.
22. This Consent Agreement is also enforceable by an action in Maine Superior Court pursuant to 24-A M.R.S. § 214, 10 M.R.S. § 8003(5)(B), and 14 M.R.S. § 3138.
23. The effective date of this Consent Agreement is the date of the Superintendent's signature hereto.
24. This Consent Agreement may be modified only by a written agreement executed by all the parties hereto. Any decision to modify, continue or terminate any provision of this Consent Agreement rests in the discretion of the Superintendent and the Attorney General.
25. This Consent Agreement is a public record as that term is defined by 1 M.R.S. § 402(3). It is subject to the provisions of the Maine Freedom of Access Act, 1 M.R.S. §§ 401 through 410, and it will be available for public inspection and copying as provided for by 1 M.R.S. § 408-A.
26. This Consent Agreement is also an adverse action and will be reported to the Regulatory Information Retrieval System ("RIRS") database at the National Association of Insurance Commissioners ("NAIC").
27. Nothing in this Consent Agreement shall be construed to affect any right or interest of any person not a party hereto.

28. Terms of this Consent Agreement constitute the entire agreement between and among the parties.
29. If any provision of this Consent Agreement is for any reason determined to be invalid, the effectiveness and enforceability of all other provisions of the Consent Agreement shall not be affected by such determination.
30. By the duly-authorized signature of its representative on this Consent Agreement, EmpiRx warrants that it has consulted with counsel before signing the Consent Agreement or has knowingly and voluntarily decided to proceed in this matter without consulting counsel, that it understands this Consent Agreement, and that it enters into the Consent Agreement voluntarily and without coercion of any kind from any person.
31. As consideration for EmpiRx's execution of and compliance with the terms of this Consent Agreement, the Superintendent and the Attorney General agree to forego pursuing further disciplinary measures or other civil or administrative sanctions for the specific conduct described above in this Consent Agreement. However, should EmpiRx fail to comply with any term or condition of this Consent Agreement, it may be subject to any available remedy under the law for such a failure or violation.

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EMPIRX HEALTH, LLC

Dated: November 20, 2025

John Ridyard

Name: John Ridyard
Title: President

FOR THE OFFICE OF THE ATTORNEY GENERAL

Dated: Nov. 21, 2025

Thomas C. Stewart

Name:
Assistant Attorney General

THE SUPERINTENDENT OF THE MAINE BUREAU OF INSURANCE

Dated: Nov. 25, 2025

Robert L. Carey

Robert L. Carey
Superintendent