

**STATE OF NEW HAMPSHIRE
INSURANCE DEPARTMENT**

**In Re: Wellcare Prescription Ins., Inc.
Docket No.: Ins. No. 22-041-EP**

MOTION TO ALLOW REMOTE WITNESS

NOW COMES the New Hampshire Insurance Department (“NHID”) and hereby requests that the Hearing Officer allow Ms. Rose Hess to appear at the hearing remotely, and in support thereof, states as follows:

1. This matter is currently scheduled for a hearing on August 16, 2022.
2. Ms. Hess is a contractor working for Milliman, a company which provides support to the NHID for the collection and processing of health care data.
3. Ms. Hess is a primary witness in this matter who has knowledge of the data submitted by Respondent, the ways in which it was deficient, and her attempts to communicate with Respondent regarding those deficiencies.
4. Attendance at the hearing in person is impractical for Ms. Hess; she lives and works in Washington state.
5. INS 206.01 allows a witness to appear remotely as long as there is good cause to allow it, and the witness’s appearance remotely would not violate any law or rule or constitutional protections, and would promote the fair, accurate, and efficient resolution of the issues pending before the Department.
6. There is good cause pursuant to INS 206.01 (c)(1) to allow Ms. Hess to appear remotely at this hearing, as her residence in Washington state is an excessive distance to the hearing location in Concord, NH.
7. Allowing Ms. Hess to appear remotely would still permit her to provide the testimony needed to consider the issues pending before the Department to enable a fair and accurate resolution of the issues, including any additional questioning by the Hearing Officer or cross-examination by the Respondent, and thereby does not violate any law, rule, or constitutional protection, while also ensuring the safety of all attending.

thereby does not violate any law, rule, or constitutional protection, while also ensuring the safety of all attending.

8. Due to the Respondent's complete lack of any communication with the Department since the inception of this matter, undersigned counsel has not sought the assent of Respondent for this motion.

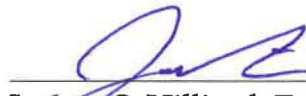
WHEREFORE, the NHID respectfully requests that the Hearing Officer:

- A. Allow Ms. Hess to appear at the hearing remotely, either through telephone or video-conference; and
- B. For other relief as is just and proper.

NEW HAMPSHIRE INSURANCE DEPARTMENT

By its counsel,

Date: 8/3/22



Joshua S. Hilliard, Esq.
Compliance and Enforcement Counsel

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing Motion was sent to Respondent at 8735 Henderson Road, Tampa FL 33634 and 7700 Forsyth Boulevard, St. Louis, MO 63105, the addresses the Respondent maintains on file with the NHID.

Date: 8/3/22



Joshua S. Hilliard, Esq.
Compliance & Enforcement Counsel