STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCIAL REGULATION

In the Matter of:	Case No. INS-24-0076
ACS BENEFIT SERVICES, LLC, Respondent.	FINAL ORDER TO CEASE AND DESIST, AND FINAL ORDER ASSESSING CIVIL PENALTY, ENTERED BY CONSENT

The Director of the Department of Consumer and Business Services for the State of Oregon (the "Director"), acting under Oregon Revised Statutes ("ORS") chapters 731, 732, 733, 734, 735, 737, 742, 743, 743A, 743B, 744, 746, 748, and 750 and the rules promulgated thereunder (collectively, the "Insurance Code"), has conducted an investigation into the business activities of ACS Benefit Services, LLC ("Respondent") and determined that Respondent engaged in violations of the Insurance Code.

Respondent wishes to resolve and settle this matter with the Director.

Now, therefore, as evidenced by the signatures subscribed in this Order, Respondent hereby CONSENTS to entry of this Order upon the Director's Findings of Fact and Conclusions of Law below.

Division of Financial Regulation
Labor and Industries Building
350 Winter Street NE, Suite 410
Salem, OR 97301-3881
Telephone: (503) 378-4387

FINDINGS OF FACT

The Director FINDS that:

1. Respondent is a third-party administrator licensed in Oregon through the Division of Financial Regulation (the "Division") since April 2020. Its National Producer Number is 2350253.

2. Respondent's principal place of business is 5660 University Parkway, Fifth Floor, Winston-Salem, North Carolina 27105.

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3. Licensed third-party administrators must file an annual report for the preceding calendar year with the Director, through the Division, by March 1 of each year. Respondent did not file its 2022 annual report by March 1, 2023.

4. Respondent also did not file its 2023 annual report by March 1, 2024.

5. On July 11, 2024, the Division emailed Respondent's email address of record, notifying Respondent that its 2022 and 2023 annual reports were past due and extended the filing deadline to August 10, 2024. The email stated that if Respondent did not file the reports by August 10, 2024, the matter would be referred for enforcement action, which could result in monetary civil penalties or a licensing action.

6. On December 6, 2024, Respondent filed its 2022 and 2023 annual reports.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

7. The Director has jurisdiction over Respondent's business activities under ORS 731.236.

8. ORS 744.738(1) requires third-party administrators to file an annual report for the preceding calendar year with the Director, through the Division, by March 1 of each year, or within such extension of time as the Director may grant.

9. By failing to file its 2022 annual report by August 10, 2024, Respondent violated ORS 744.738(1).

10. By failing to file its 2023 annual report by August 10, 2024, Respondent violated ORS 744.738(1).

11. Because the Director has reason to believe that Respondent violated ORS 744.738(1), the Director may, under ORS 731.252(1), order Respondent to cease and desist from violating that statute.

12. ORS 731.988(1) authorizes the Director to assess a civil penalty against Respondent of up to $10,000 per violation of the Insurance Code.

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ORDERS

Now, therefore, the Director issues the following Orders:

13. As authorized by ORS 731.252(1), the Director ORDERS Respondent to CEASE AND DESIST from violating ORS 744.738(1).

14. As authorized by ORS 731.988(1), the Director ORDERS Respondent to pay a $2,000 CIVIL PENALTY for violating ORS 744.738(1), allocated as follows:

A. $1,000 for failing to file its 2022 annual report; and

B. $1,000 for failing to file its 2023 annual report.

15. The Director SUSPENDS $1,000 of the CIVIL PENALTY, provided:

A. Respondent pays the $1,000 non-suspended civil penalty; and

B. Does not violate the terms of this Order or the Insurance Code for a period of three years from the effective date of this Order.

16. If Respondent fails to satisfy the above conditions, the suspended civil penalty ($1,000) becomes immediately due and owing. Otherwise, the Director will waive the suspended civil penalty three years after the effective date of this Order.

17. Along with this Order, Respondent shall submit to the Director $1,000 as payment for the non-suspended civil penalty.

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18. This is a "Final Order" under ORS 183.310(6)(b). Subject to that provision, entry of this Order does not limit or prevent further remedies available to the Director under Oregon law to enforce this Order or take action for violations of this Order or violations of the Insurance Code not covered by this Order.

SO ORDERED this 26th day of December, 2024.

ANDREW R. STOLFI, Director
Department of Consumer and Business Services

/s/ Dorothy Bean
Dorothy Bean, Chief of Enforcement
Division of Financial Regulation

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ENTITY CONSENT TO ENTRY OF ORDER

I, Noel Collis, am an officer or manager of ACS Benefit Services, LLC ("Respondent"), and I am authorized to act and sign on its behalf. I have read the foregoing Order, and I know and fully understand the contents hereof. The factual allegations stated herein are true and correct. I have been advised of Respondent's right to a hearing and right to be represented by counsel in this matter. Respondent voluntarily consents to the entry of this Order without any force or duress, expressly waiving any right to a hearing in this matter, as well as any rights to administrative or judicial review of this Order. Respondent understands that the Director reserves the right to take further action against Respondent to enforce this Order or to take appropriate action upon discovery that Respondent has committed other violations of the Insurance Code. Respondent, along with its officers, directors, employees, or agents, will fully comply with the terms and conditions stated herein.

Respondent understands that this Order is a public document.

Signature: */s/ Noel Collis*

Position Held: Chief Financial Officer

State of North Carolina

County of Forsyth

Signed or attested before me by Noel Collis on this 12 day of December, 2024.

/s/ Kelly Montgomery

Notary Public

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