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

In the Matter of: CREATIVE BILLING SOLUTIONS, LLC, a South Carolina Limited Liability Company, Respondent.	Case No. INS-22-0077 FINAL ORDER TO CEASE AND DESIST, REVOKING THIRD PARTY ADMINISTRATOR LICENSE, AND ASSESSING CIVIL PENALTIES, ENTERED BY DEFAULT

On December 8, 2022, the Division of Financial Regulation ("Division") acting on behalf of the Director of the Department of Consumer and Business Services for the State of Oregon ("Director"), served Notice of Administrative Order INS-22-0077 ("Notice") on Creative Billing Solutions, LLC ("Respondent"). The Notice provided notice that the Director issued an order to cease and desist against Respondent, proposing to revoke Respondent's Oregon third party administrator license and to assess civil penalties against Respondent for violating ORS 744.738(1), a provision of Oregon Revised Statutes ("ORS") chapters 731, 732, 733, 734, 735, 737, 742, 743, 743A, 744, 746, 748 and 750 and the rules promulgated thereunder ("Insurance Code").

The Notice offered Respondent an opportunity for a hearing if requested within 20 days of the Notice. The Notice further informed Respondent that if a hearing were not conducted because Respondent did not timely request a hearing or otherwise defaulted, then the designated portion of the Division's file and all materials submitted by Respondent in this case would automatically become part of the contested case record for the purpose of proving a prima facie case.

The Director did not receive from Respondent a request for a hearing and did not conduct a hearing.

The Director finds that the record of this proceeding proves a prima facie case.

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Now, therefore, after considering the relevant portions of the Division's file relating to this matter, the Director finds and orders as follows.

FINDINGS OF FACT

The Director FINDS that:

1. Respondent has held an Oregon third party administrator license ("License") since December 22, 2020. Respondent's National Producer Number is 17614148.

2. Respondent's principal place of business is 3404 Salterbeck Court, Ste 207, Mt. Pleasant, South Carolina 29466.

3. Respondent failed to file its 2020 annual report with the Director by March 1, 2021.

4. Respondent failed to file its 2021 annual report with the Director by March 1, 2022.

5. On or around March 29, 2022, the Director sent Respondent an email extending the filing deadline to May 1, 2022.

6. Respondent failed to file its 2020 annual report with the Director by May 1, 2021.

7. Respondent failed to file its 2021 annual report with the Director by May 1, 2022.

8. To date, Respondent has failed to file the 2020 and 2021 annual reports.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

9. Pursuant to ORS 744.738(1), third party administrators are required to file annual reports with the Director by March 1 of each year, or within such extension of time as the Director may grant.

10. By failing to file the 2020 report by March 1, 2021 and/or May 1, 2021, Respondent violated ORS 744.738(1).

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11. By failing to file the 2021 report by March 1, 2022 and/or May 1, 2022, Respondent violated ORS 744.738(1).

12. Because Respondent committed the foregoing violation of ORS 744.738(1), the Director may revoke Respondent's License, under ORS 744.718(2)(j).

13. Because the Director has reason to believe that Respondent has been engaged in violations of the Insurance Code, the Director may issue an order to Respondent to cease and desist, under ORS 731.252(1).

14. The Director may impose a civil penalty of up $10,000 per violation upon any person who violates a provision of the Insurance Code, under ORS 731.988(1).

ORDERS

Now therefore, the Director issues the following Orders:

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

16. As authorized by ORS 744.718(2)(j), the Director hereby REVOKES Respondent's Oregon third party administrator license for violating ORS 744.738(1).

17. As authorized by ORS 731.988(1), the Director hereby ORDERS Respondent to pay CIVIL PENALTIES of $2,000 for violating ORS 744.738(1) in two instances.

SO ORDERED this 12th day of January, 2023.

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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NOTICE OF RIGHT TO JUDICIAL APPEAL

Judicial review of final orders in contested cases is governed by ORS 183.482. Respondent may request judicial review by filing a petition with the Court of Appeals in Salem, Oregon, within 60 days from the date this order is served.

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