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

In the Matter of:	Case No. INS-19-0052
BENEFIT TRANSACT SOLUTIONS, LLC,	FINAL ORDER REVOKING LICENSE, ENTERED BY DEFAULT
Respondent.	

On September 26, 2019, the Director of the Department of Consumer and Business Services for the State of Oregon ("Director"), by and through the Division of Financial Regulation ("Division"), served Notice of Administrative Order INS-19-0052 ("Notice") on Benefit Transact Solutions, LLC ("Respondent"). The Notice provided notice that the Director intended to issue an order revoking Respondent's third-party administrator license for violations of Oregon Revised Statutes ("ORS") chapters 731, 732, 733, 734, 735, 737, 742, 743, 743A, 744, 746, 748 and 750 ("Insurance Code") and the Oregon Administrative Rules ("OAR") promulgated under those laws.

The Notice offered Respondent an opportunity for a hearing if requested within 20 days of service 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 served the Notice on the registered agent of Respondent as registered with the Oregon Secretary of State.

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

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

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 been licensed by the Director as an Oregon third party administrator since October 16, 2015. Respondent's license expires on October 31, 2019. Respondent's National Association of Insurance Commissions (NAIC) license number is 100273634. Respondent's National Producer Number is 16099555.

2. On February 2, 2017, the Division sent a letter to Respondent with a reminder that Respondent must file the annual report for the preceding calendar year by March 1 of each year. The letter informed Respondent that the Division may impose a civil penalty or suspend or revoke its license if Respondent failed to file the report.

3. Respondent did not file its annual report for the 2017 calendar year on or before the deadline of March 1, 2017.

4. On February 2, 2018, the Division sent a letter to Respondent with a reminder that Respondent must file the annual report for the preceding calendar year by March 1 of each year. The letter informed Respondent that the Division may impose a civil penalty or suspend or revoke its license if Respondent failed to file the report.

5. Respondent did not file its annual report for the 2018 calendar year on or before the deadline of March 1, 2018.

6. On January 29, 2019, the Division sent a letter to Respondent with a reminder that Respondent must file the annual report for the preceding calendar year by March 1 of each year. The letter informed Respondent that the Division may impose a civil penalty or suspend or revoke its license if Respondent failed to file the report.

7. Respondent did not file its annual report for the 2018 calendar year on or before

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the deadline of March 1, 2019.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

8. Under ORS 744.702(1), a person shall not transact business or purport or offer to transact business as a third party administrator in this state unless the person holds a third party administrator license issued by the Director.

9. Under ORS 744.718(2)(j), the Director may revoke a license of a third party administrator if the director finds that the licensee has violated any rule or order of the Director or any provision of the Insurance Code.

10. Under ORS 744.738(1) and OAR 836-075-0040(1), each third party administrator shall file an annual report for the preceding calendar year with the Director on or before March 1 of each year, or within such extension of time therefor as the Director may grant.

11. Respondent failed to file an annual report with the Director on each March 1 of 2017, 2018, and 2019.

12. By failing to file an annual report by March 1, 2017, 2018, and 2019, Respondent violated ORS 744.738(1) and OAR 836-075-0040(1).

13. Because Respondent violated ORS 744.738(1) and OAR 836-075-0040(1), the Director may revoke Respondent's Oregon third party administrator license under ORS 744.718(2)(j).

ORDER

The Director ISSUES the following ORDER:

14. Pursuant to ORS 744.718(2)(j), the Director hereby REVOKES Respondent's Oregon third party administrator license.

15. This Order is a "Final Order" under ORS 183.310(6)(b). Subject to that provision, the entry of this Order does not limit other remedies that are available to the

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Director under Oregon law.

IT IS SO ORDERED.

Dated this 28th day of October, 2019.

CAMERON SMITH, Director
Department of Consumer and Business Services

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

NOTICE OF RIGHT TO JUDICIAL APPEAL

Judicial review of final orders in contested cases is governed by ORS 183.482. Respondents 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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