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INSURANCE DEPARTMENT

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ADMIN HEARINGS OFFICE

BEFORE THE INSURANCE COMMISSIONER
OF THE
COMMONWEALTH OF PENNSYLVANIA

IN RE:	:	VIOLATIONS:
	:	
INTERNATIONAL BENEFITS	:	40 P.S. § 324.3
ADMINISTRATORS, LLC	:	
100 Garden City, Suite 102	:	
New York, NY 11530	:	
	:	
	:	
	:	
	:	
	:	
Respondent.	:	Docket No. CO19-01-013

CONSENT ORDER

AND NOW, this 8th day of August, 2019, this Order is hereby issued by the Insurance Department of the Commonwealth of Pennsylvania pursuant to the statutes cited above and in disposition of the matter captioned above.

1. Respondent hereby admits and acknowledges that it has received proper notice of its rights to a formal administrative hearing pursuant to the Administrative Agency Law, 2 Pa.C.S. § 101, et seq., or other applicable law.

2. Respondent hereby waives all rights to a formal administrative hearing in this matter, and agrees that this Consent Order, and the Findings of Fact and Conclusions of Law contained herein, shall have the full force and effect of an Order

duly entered in accordance with the adjudicatory procedures set forth in the Administrative Agency Law, supra, or other applicable law.

FINDINGS OF FACT

3. The Insurance Department finds true and correct each of the following Findings of Fact:

- (a) Respondent is International Benefits Administrators, LLC, and maintains a record of its address with the Pennsylvania Insurance Department as 100 Garden City, Suite 102, New York, NY 11530.
- (b) Respondent is, and at all times relevant hereto has been, a licensed Insurance Administrator.
- (c) Respondent was subject to six (6) out-of-state administrative actions, resulting in fines totaling \$4,500.00.
 - South Dakota Division of Insurance on August 9, 2011, for failure to timely file an annual report.
 - Wisconsin Office of the Commissioner of Insurance on February 23, 2012, for a late or incomplete response to inquiries from the Commissioner.

- Oklahoma Insurance Department on April 12, 2012, for acting or presenting itself as a third-party administrator without a valid license.
 - Louisiana Department of Insurance on June 24, 2013, for failure to timely file an annual report.
 - Utah Insurance Department on November 6, 2015, for failure to respond, failure to timely file and ordered to provide requested information.
 - Louisiana Department of Insurance on December 30, 2015, for a third-party administrator violation and failure to timely file an annual report.
- (d) Respondent's Qualifying Active Officer, Michael Sonnenberg, was subject to three (3) administrative actions resulting in fines, totaling \$3,750.00.
- New York Department of Financial Services on November 21, 2017, for failure to make required disclosure on a license application.
 - Louisiana Department of Insurance action was on February 23, 2018, for failure to timely file and failed to disclose actions on a license application.
 - Delaware Department of Insurance action was issued on May 2, 2018, for failure to timely file an annual report.

- (e) Respondent answered "NO" on two (2) Pennsylvania license renewal applications pertaining to prior administrative actions identified in findings 3(c) and 3(d) on July 28, 2014 and June 30, 2016.

CONCLUSIONS OF LAW

4. In accord with the above Findings of Fact and applicable provisions of law, the Insurance Department concludes and finds the following Conclusions of Law:

- (a) Respondent is subject to the jurisdiction of the Pennsylvania Insurance Department.
- (b) 40 P.S. § 324.3 prohibits any person from acting as an administrator who is not competent, trustworthy or financially responsible.
- (c) Respondent's activities described above in paragraphs 3(c) through 3(e) violate 40 P.S. § 324.3.
- (d) Respondent's violations of 40 P.S. § 324.3 are punishable under 40 P.S. § 324.13:

- (i) failure to hold a license shall subject the administrator to a civil penalty of not less than \$1,000 nor more than \$5,000 for each instance of unlicensed activity.
- (ii) after a hearing, the commissioner may suspend, revoke or refused to renew the license, impose a civil penalty of not more than \$5,000, and order restitution.

ORDER

5. In accord with the above Findings of Fact and Conclusions of Law, the Insurance Department orders and Respondent consents to the following:

- (a) Respondent shall cease and desist from engaging in the activities described herein in the Findings of Fact and Conclusions of Law.
- (b) Respondent shall pay a civil penalty of Two Thousand Five Hundred Dollars (\$2,500.00) to the Commonwealth of Pennsylvania. Payment of this penalty shall be made by certified check or money order, payable to the Commonwealth of Pennsylvania. Payment should be directed to Bureau of Licensing and Enforcement, 1227 Strawberry Square, Harrisburg, Pennsylvania 17120. Payment may be enclosed with the Consent Order, but must be paid in any event no later than fourteen (14) days after the date of the Consent Order.

- (c) Respondent's licenses may be immediately suspended by the Department following its investigation and determination that (i) any terms of this Order have not been complied with, or (ii) any confirmed complaint against Respondent is accurate and a statute or regulation has been violated. The Department's right to act under this section is limited to a period of five (5) years from the date of this Order.

- (d) Respondent specifically waives his right to prior notice of said suspension, but will be entitled to a hearing upon written request received by the Department no later than thirty (30) days after the date the Department mailed to Respondent by certified mail, return receipt requested, notification of said suspension, which hearing shall be scheduled for a date within sixty (60) days of the Department's receipt of Respondent's written request.

- (e) At the hearing referred to in paragraph 5(d) of this Order, Respondent shall have the burden of demonstrating that he is worthy of a license.

- (f) In the event Respondent's licenses are suspended pursuant to paragraph 5(c) above, and Respondent either fails to request a hearing within thirty (30) days or at the hearing fails to demonstrate that he is worthy of a license, Respondent's suspended licenses shall be revoked.

6. In the event the Insurance Department find that there has been a breach of any of the provisions of this Order, based upon the Findings of Fact and Conclusions of Law contained herein, the Department may pursue any and all legal remedies available, including but not limited to the following: The Department may enforce the provisions of this Order in an administrative action pursuant to the Administrative Agency Law, supra, or other relevant provisions of law; or, if applicable, the Department may enforce the provisions of this Order in any other court of law or equity having jurisdiction.

7. Alternatively, in the event the Insurance Department finds there has been a breach of any of the provisions of this Order, the Department may declare this Order to be null and void and, thereupon, reopen the entire matter for appropriate action pursuant to the Administrative Agency Law, supra, or other relevant provision of law.

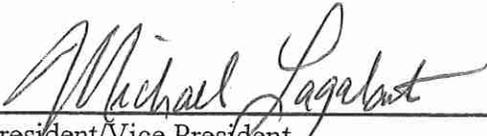
8. In any such enforcement proceeding, Respondent may contest whether a breach of the provisions of this Order has occurred but may not contest the Findings of Fact and Conclusions of Law contained herein.

9. Respondent hereby expressly waives any relevant statute of limitations and application of the doctrine of laches for purposes of any enforcement of this Order.

10. This Order constitutes the entire agreement of the parties with respect to the matters referred to herein, and it may not be amended or modified except by an amended order signed by all the parties hereto.

11. This Order shall be final upon execution by the Insurance Department. Only the Insurance Commissioner or a duly authorized delegee is authorized to bind the Insurance Department with respect to the settlement of the alleged violations of law contained herein, and this Consent Order is not effective until executed by the Insurance Commissioner or duly authorized delegee.

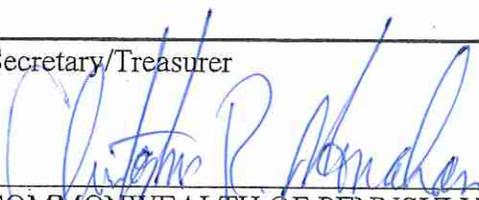
BY: INTERNATIONAL BENEFITS
ADMINISTRATORS, LLC, Respondent



President/Vice President



Secretary/Treasurer

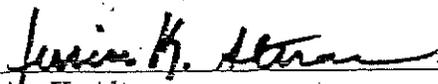


COMMONWEALTH OF PENNSYLVANIA
By: CHRISTOPHER R. MONAHAN
Deputy Insurance Commissioner

BEFORE THE INSURANCE COMMISSIONER
OF THE
COMMONWEALTH OF PENNSYLVANIA

IN RE: The Act of April 9, 1929, P.L. 177, No. 175, known as The
Administrative Code of 1929

AND NOW, this 28th day of March, 2018, Christopher R. Monahan,
Deputy Insurance Commissioner, is hereby designated as the Commissioner's duly
authorized representative for purposes of entering in and executing Consent Orders. This
delegation of authority shall continue in effect until otherwise terminated by a later Order
of the Insurance Commissioner.



Jessica K. Altman
Insurance Commissioner

