

BEFORE THE DIVISION OF INSURANCE  
DEPARTMENT OF LABOR AND REGULATION  
STATE OF SOUTH DAKOTA

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IN THE MATTER OF	)	
INTERNATIONAL BENEFITS	)	CONSENT ORDER
ADMINISTRATORS, LLC.	)	

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In resolution of the above matter and in lieu of issuance of a Notice of Hearing and a formal hearing, the undersigned parties do hereby agree to the following:

INTERNATIONAL BENEFITS ADMINISTRATORS, LLC., ("IBA") whose mailing address of record is 100 Garden City Plaza Ste 102, Garden City New York 11530, is an applicant for registration as a third party administrator in the State of South Dakota;

IBA is aware the South Dakota Division of Insurance ("Division") has conducted an investigation;

The South Dakota Division of Insurance alleges the following with regards to IBA:

- 1) IBA acted as a third party administrator in the State of South Dakota since July 2014 without being registered with the Division in violation of SDCL §§ 58-29D-21;
- 2) IBA was subject to an August 2011 Consent Order for failing to timely file an annual report with the Division;
- 3) IBA was subject to a Warning Letter in June 2012 for failing to disclose a Wisconsin administrative action on IBA's TPA registration renewal application;
- 4) IBA was subject to a previous Division investigation for failing to timely report a 2013 Louisiana administrative action and for failing to timely respond to Division inquiries;
- 5) IBA submitted an application for registration as a third party administrator on February 23, 2016;
- 6) Pursuant to SDCL § 58-29D-31, the Director of the Division of Insurance may deny IBA's registration application for the above cited conduct.

IBA is aware of and understands the nature of the allegations and has been informed that it has the right to a Notice of Hearing, counsel and appeal and that by agreeing to sign this Consent Order, waives these rights;

In return for IBA agreeing to and complying with the provisions of this Consent Order, the Division agrees not to proceed with the denial of IBA's application and subsequent administrative hearing and agrees that this Consent Order will constitute an informal and complete disposition of this licensing matter and the prior period of non-licensure pursuant to SDCL § 1-26-20;

IBA agrees to pay \$20,000 pursuant to SDCL §§ 58-29D-31, 58-29D-33, and 58-4-28.1, in lieu of an application denial, administrative hearing, and Final Decision;

IBA further agrees to conduct itself in accordance with the insurance laws and regulations of the State of South Dakota;

IBA further agrees that this Consent Order may be considered for the purpose of determining the appropriate sanction in any future actions with the Division for any violations of the laws or regulations of the State of South Dakota or for failing to abide by any order of the Director;

IBA waives its right to contest the allegations contained in this Consent Order in any future actions or licensing procedures;

Wherefore, good cause appearing from the foregoing, it is hereby ORDERED that IBA pay a monetary penalty in the amount of \$20,000 payable to "South Dakota Division of Insurance" for deposit in the general fund of the State of South Dakota; and it is further

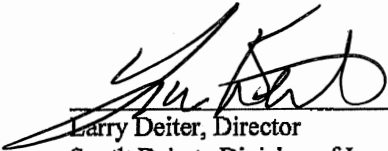
ORDERED that IBA abide by the agreements made by it in this Consent Order; and it is further

ORDERED the third party administrator registration application from IBA is approved as of the effective date of this Consent Order; and it is further

ORDERED that the use of this Consent Order for competitive purposes by an insurance agent or third-party administrator holding a license in the State of South Dakota, or by any company holding a Certificate of Authority, or by anyone on their behalf, may be deemed unfair competition and be grounds for suspension or revocation of said license or authority; and it is further

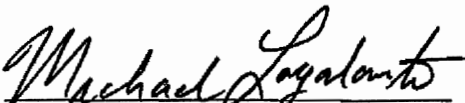
ORDERED that the provisions of this Consent Order shall be effective from the date the Director signs this Order.

Dated at Pierre, South Dakota this 21<sup>st</sup> day of July, 2016.

  
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Larry Deiter, Director  
South Dakota Division of Insurance

The undersigned, on behalf of IBA represents it understands the terms of this Consent Order and the waiver of its due process rights and voluntarily enters into this Consent Order.

Dated this 23 day of June, 2016.

  
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Signature of Authorized Representative  
Michael Lagalante  
\_\_\_\_\_  
Printed Name  
President  
\_\_\_\_\_  
Title