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

IN THE MATTER OF THE BENEFIT GROUP INC.) CONSENT ORDER)	
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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:

THE BENEFIT GROUP INC. ("THE BENEFIT GROUP"), whose address of record is 11924 Arbor St. Suite, 200 Omaha, NE 68144, holds a business entity license in the State of South Dakota. THE BENEFIT GROUP has also filed a TPA registration application in the state of South Dakota;

THE BENEFIT GROUP is aware that the South Dakota Division of Insurance ("Division") has conducted an investigation;

The South Dakota Division of Insurance alleges the following:

- 1) THE BENEFIT GROUP previously held a valid TPA registration in South Dakota which expired on July 1, 2013;
- 2) THE BENEFIT GROUP continued to conduct TPA business in South Dakota after its TPA registration had lapsed;
- 3) THE BENEFIT GROUP filed a TPA registration application with the Division on February 27, 2020;
- 4) Any of the above-cited conduct may be grounds for the denial of THE BENEFIT GROUP's TPA registration application pursuant to SDCL §§ 58-29D-21, 58-29D-31, and 58-30-167 (2);

THE BENEFIT GROUP is aware of and understands the nature of the charges and has been informed that it has the right to notice, hearing, and appeal, and that by agreeing to and signing this Consent Order waives these rights;

In return for THE BENEFIT GROUP agreeing to and complying with the provisions of this Consent Order, the Division agrees not to proceed to administrative hearing and agrees that this Consent Order will constitute an informal disposition of this licensing matter pursuant to SDCL § 1-26-20;

By the execution of this Consent Order and the payment of a penalty pursuant to this Consent Order, THE BENEFIT GROUP waives its right to contest the allegations contained in this Consent Order in any future actions or licensing procedures with the Division;

THE BENEFIT GROUP further agrees to pay \$10,000 pursuant to SDCL §§ 58-29D-31 and 58-4-28.1, in lieu of an administrative hearing and Final Decision;

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

THE BENEFIT GROUP 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;

THE BENEFIT GROUP 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 THE BENEFIT GROUP pay a monetary penalty in the amount of \$10,000 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 THE BENEFIT GROUP's TPA registration application is approved as of the effective date of this order; and it is further

ORDERED that THE BENEFIT GROUP abide by the agreements made in 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 10th day of September, 2020.

Larry Deiter, Director

South Dakota Division of Insurance

The undersigned, on behalf of THE BENEFIT GROUP represents it understands the terms of this Consent Order and the waiver of its due process rights and voluntarily enter into this Consent Order.

Dated this 8th day of September, 2020.

Marti L. English
Distally signed by Marti L. English
Distally sign