

STATE OF NEW JERSEY
DEPARTMENT OF BANKING AND INSURANCE

IN THE MATTER OF:

Proceedings by the Commissioner of Banking and Insurance, State of New Jersey, to fine Berkshire Medical Technologies))))	CONSENT ORDER
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TO: Berkshire Medical Technologies
1945 Morris Ave., Suite 11
Union, NJ 07083

This matter having been opened by the Commissioner of Banking and Insurance, State of New Jersey, ("Commissioner"), upon information that Berkshire Medical Technologies ("Respondent"), which has applied for certification as a third party billing service in New Jersey pursuant to N.J.S.A. 17B:27B-1 to -25, may have violated provisions of the insurance laws of the State of New Jersey; and

WHEREAS, pursuant to N.J.S.A. 17B:27B-1, a third party billing service is defined as a person or entity that is paid by a health care provider to process claims or claims payments on behalf of the health care provider; and

WHEREAS, pursuant to N.J.S.A. 17B:27B-16, no person shall act as a third party billing service without being certified by the Commissioner; and

WHEREAS, the Department of Banking and Insurance has learned that Respondent has acted as a third party billing service in New Jersey when it was not certified as a third party billing service;

and

WHEREAS, Respondent submitted an application for certification as a third party billing service on May 4, 2018 and said application is pending; and

WHEREAS, cause does exist under N.J.S.A. 17B:27B-24 for the imposition of a civil penalty for the aforementioned violation of the insurance laws of this State; and

WHEREAS, Respondent has waived its right to a hearing on the aforementioned violation and consents to imposition of a civil penalty in the amount of \$1,000.00, pursuant to N.J.S.A. 17B:27B-24; and

WHEREAS, this matter should be resolved upon the consent of the parties without resort to a formal hearing on the aforementioned violation;

NOW, THEREFORE, IT IS on this 4th day of June, 2018

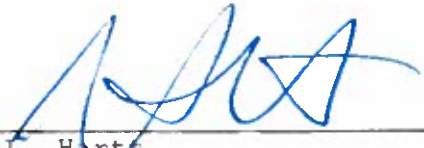
ORDERED and AGREED that Respondent shall be responsible for the payment of a civil penalty totaling \$1,000.00; and

IT IS FURTHER ORDERED and AGREED that Respondent shall pay the civil penalty of \$1,000 upon its execution of this Consent Order. The payment shall be made through a certified check or money order, made payable to "State of New Jersey - General Treasury" and shall be sent to Tim Stroud, Insurance Examiner, Office of Solvency Regulation, Department of Banking and Insurance, P. O. Box 325, Trenton, NJ 08625-0325; and

IT IS FURTHER ORDERED AND AGREED that the fine in this Consent

Order is imposed pursuant to the police powers of the State of New Jersey for the enforcement of the law and the protection of the public health, safety and welfare, and is not intended to constitute a debt which may be limited or discharged in a bankruptcy proceeding; and

IT IS FURTHER ORDERED and AGREED that this Consent Order represents a final agency decision and constitutes a final resolution of the allegations of this Consent Order.



Peter L. Hartt
Director, Division of Insurance

Consented to as to Form, Content and Entry:



Owen Carey, Owner
Berkshire Medical Technologies

5/30/2018

Date