

STATE OF MICHIGAN  
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH  
OFFICE OF FINANCIAL AND INSURANCE REGULATION

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Before the Commissioner of Financial and Insurance Regulation

OFIR/OGC

In the matter of:

Office of Financial and Insurance Regulation

Enforcement Case No. 09-7158

Petitioner,

v

Professional Benefits Services, Inc.  
System I.D. No. 0010343

Respondent

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Issued and entered  
on 3/5/10  
by Stephen R. Hilker  
Chief Deputy Commissioner

**CONSENT ORDER AND STIPULATION**

**A. Findings of fact and conclusions of law**

1. Pursuant to Section 36(1) of the Third Party Administrator Act (the "TPAA"), MCL 550.936(1), Respondent was required to file its annual statement (Statement) with the Office of Financial and Insurance Regulation (OFIR) on or before March 1, 2008.
2. Contrary to Section 36(1) of the TPAA, Respondent filed its Statement with OFIR on March 20, 2008.
3. Respondent has violated Section 36(1) of the TPAA, MCL 550.936(1), by failing to promptly file its Statement with OFIR.

**B. Order**

Based on the findings of fact and conclusions of law above and Respondent's stipulation, the Acting Chief Deputy Commissioner ORDERS that:

1. Respondent shall immediately cease and desist from operating in such a manner as to violate Section 36(1) of the Third Party Administrator Act, MCL 550.936(1).
2. Henceforth, Respondent shall annually file its Statements on or before March 1 of the year following that covered by the Statement.

3. Respondent shall pay to the state of Michigan, through the Office of Financial and Insurance Regulation, a fine in the amount of \$500. The fine shall be paid within 30 days of the date of entry of this Order.



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Stephen R. Hilker  
Chief Deputy Commissioner

**C. STIPULATION**

I, Thomas Gottlick, acting on behalf of Professional Benefits Services, Inc. have read and understand the proposed Consent Order above. I also enter into this Stipulation on behalf Professional Benefits Services, Inc. Professional Benefits Services, Inc. agrees that the Acting Chief Deputy Commissioner has jurisdiction and authority to issue this Consent Order pursuant to the Third Party Administrator Act, MCL 550.901 *et seq.*, and the Administrative Procedures Act of 1969, MCL 24.201 *et seq.* Professional Benefits Services, Inc. voluntarily waives the right to a hearing in this matter if this Consent Order is issued. Professional Benefits Services, Inc. understands that this Stipulation and Consent Order will be presented to the Acting Chief Deputy Commissioner for approval and that the Acting Chief Deputy Commissioner may or may not issue this Consent Order. Professional Benefits Services, Inc. waives any objection to the Commissioner deciding this case following a hearing in the event the Consent Order is not approved. Henceforth, Professional Benefits Services, Inc. agrees to comply with the requirements of the Third Party Administrator Act. Professional Benefits Services, Inc. agrees with the findings of fact and conclusions of law as set forth in the above Consent Order. Professional Benefits Services, Inc. agrees to the entry of this Order.

Professional Benefits Services, Inc.

Dated: 12-29-2009



By: Thomas Gottlick

Its: Vice President, Operations

The Office of Financial and Insurance Regulation staff approves this stipulation and recommends that the Chief Deputy Commissioner issue the above Consent Order.

Dated: 1/6/2010



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Marlon F. Roberts,  
Staff Attorney