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FILED 

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Department of Insurance  
State of Idaho

*Attorneys for the Department of Insurance*

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE**  
**STATE OF IDAHO**

In the Matter of:

BENEFIT SOLUTIONS, INC.,  
Third Party Administrator License No. 366269,  
  
Respondent.

Docket No. 18-2801-12

**STIPULATION RESOLVING  
VIOLATION OF IDAHO INSURANCE  
CODE**

The parties herein, namely the Idaho Department of Insurance (“**Department**”) and its counsel of record, Richard B. Burleigh, Deputy Attorney General, and BENEFIT SOLUTIONS, INC., Third Party Administrator License No. 366269, do hereby agree and stipulate to the following facts and conclusions of law:

1. That the Director of the Idaho Department of Insurance has jurisdiction over this matter pursuant to title 41, Idaho Code.
2. That BENEFIT SOLUTIONS, INC. (“**Respondent**”), was granted Third Party Administrator (“**TPA**”) License No. 366269 effective December 16, 2010.
3. That Respondent’s TPA License No. 366269 is scheduled to expire as of January 1, 2014.

4. That, pursuant to Idaho Code § 41-914, all licensed TPAs are required to file an annual report with the Department on or before July 1 of each year.

5. That, on or about July 5, 2012, Respondent was notified by letter sent by certified mail that it had failed to file the required annual report and that no request for an extension of time had been received by the Department.

6. That the Department's July 5, 2012 letter required Respondent to file the annual report by July 26, 2012.

7. That Respondent received and signed for the certified July 5, 2012 letter on July 9, 2012.

8. That Respondent failed to file its annual report at any time prior to, on or after July 26, 2012.

9. That Respondent continues to operate as an administrator in Idaho notwithstanding its failure to comply with the requirements of the Idaho Code.

10. That, pursuant to Idaho Code § 41-915(2)(a), the Department may seek suspension or revocation of Respondent's TPA license for failure to comply with the Idaho Code

11. That, pursuant to Idaho Code §§ 41-117 and 41-915(4), the Department may seek general penalties against Respondent of up to five thousand dollars (\$5,000.00) per violation of the Idaho Insurance Code.

12. That, in lieu of a contested enforcement action, the parties agree that this matter can be brought to a close by a negotiated and stipulated settlement.

13. Respondent therefore agrees as follows:

- a. Respondent shall pay a five hundred dollar (\$500.00) penalty to the Department within ten (10) business days following the execution of this Stipulation.

- b. Respondent shall file an annual report as required by Idaho Code § 41-914 within thirty (30) days from the execution of this Stipulation.
- c. If Respondent fails to comply with the preceding, Respondent agrees that the Department may suspend or revoke Respondent's TPA license without further notice or hearing.

14. Respondent acknowledges that it has had the opportunity to consult with counsel concerning this Stipulation. Respondent waives its right to notice and hearing at which it may be represented by counsel, present evidence and examine witnesses. Respondent waives its right to submit this matter for review by a court of competent jurisdiction.

15. The parties agree that the terms of this Stipulation are appropriate and proper under the circumstances referenced herein, and that they have entered into this Stipulation knowingly, voluntarily and with full knowledge of any rights they may be waiving thereby.

16. The parties hereby waive the right to seek reconsideration and judicial review of this Stipulation or the violations of the Idaho Code referenced herein.

[Signatures on following pages.]

AGREED THIS 31 day of October, 2012.

BENEFIT SOLUTIONS, INC.

a(n) S corporation

By: Shannon Gurdang  
Name: Shannon Gurdang  
Its: President/CEO

STATE OF Washington  
County of Snohomish ss.

On this 31 day of October, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Shannon Gurdang, the President of BENEFIT SOLUTIONS, INC., a(n) S corporation, who executed the foregoing instrument on behalf of said company, and acknowledged to me that the said instrument is the free and voluntary act and deed of said company, for the uses and purposes therein mentioned.


WITNESS MY HAND and official seal hereto affixed the day, month and year in this certificate first above written.



Suzan M. Kolb  
Notary Public in and for the  
State of Washington  
Residing at Snohomish  
My commission expires: 7/9/13


AGREED THIS 1<sup>st</sup> day of November, 2012.

IDAHO DEPARTMENT OF INSURANCE

By:   
Georgia Siehl, CPA, CFE  
Bureau Chief, Chief Examiner  
Idaho Department of Insurance

Approved as to Form:

OFFICE OF THE ATTORNEY GENERAL  
STATE OF IDAHO

By:   
Richard B. Burlingame  
Deputy Attorney General  
Attorney for the Idaho Department of Insurance

**IT IS SO ORDERED.**

DATED this 1<sup>st</sup> day of November, 2012.

STATE OF IDAHO  
DEPARTMENT OF INSURANCE

  
WILLIAM W. DEAL  
Director

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 1st day of November, 2012, I caused a true and correct fully-executed copy of the foregoing STIPULATION RESOLVING VIOLATION OF IDAHO INSURANCE CODE to be served on the following by the designated means:

Benefit Solutions, Inc.  
Attn: Compliance Department  
PO Box 6  
Mukilteo, WA 98275-0006

☒ first class mail  
☐ certified mail  
☐ hand delivery  
☐ via facsimile

Richard B. Burleigh  
Deputy Attorney General  
Idaho Department of Insurance  
700 W. State Street, 3<sup>rd</sup> Floor  
P.O. Box 83720  
Boise, ID 83720-0043

☐ first class mail  
☐ certified mail  
☒ hand delivery  
☐ via facsimile

  
Teresa Jones