## 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	)	CONSENT
D.B.M.E., Inc.	)	ORDER

To: Tammy S. Kirshon
Mark L. DeGiacomo
Ann E. Kummer
William C. Irwin
D.B.M.E., Inc.
22 IBM Rd., Suite 210
Poughkeepsie, NY 12601

This matter, having been opened by the Commissioner of Banking and Insurance ("Commissioner"), State of New Jersey, upon information that D.B.M.E., Inc. ("Respondent"), a third-party billing service in New Jersey certified by the Commissioner on June 17, 2021 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 was purchased by Tammy S. Kirshon, Mark L. DeGiacomo, Ann E. Kummer and William C. Irwin on/or about November 1, 2019, transacted business in New Jersey as a third-party billing service but did not submit an application for certification as a third-party billing service until April 21, 2020 and certification was granted on June 17, 2021; 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 the imposition of a civil penalty in the amount of eight thousand six hundred dollars (\$8,600.00), 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;

NOW, THEREFORE, IT IS on this 27 day of July , 2021

ORDERED AND AGREED, that Respondent shall be responsible for the payment of a civil penalty totaling \$8,600.00; and

IT IS FURTHER ORDERED AND AGREED, that said fine shall be paid by certified check, cashier's check or money order made payable to the "State of New Jersey, General Treasury," which shall be paid upon execution of this Consent Order by the Respondent; and

IT IS FURTHER ORDERED AND AGREED, that the signed Consent Order, together with the fine payment of \$8,600.00, shall be remitted to:

New Jersey Department of Banking and Insurance Attention: Virgil Dowtin-Chief of Investigations

## 9<sup>th</sup> Floor, Consumer Protection Services, Enforcement P.O. Box 329 Trenton, New Jersey 08625

and

IT IS FURTHER ORDERED AND AGREED, that the provisions of this Consent Order represent a final agency decision and constitute a final resolution of the violations contained herein.

		Maride
		Marlene Caride Commissioner
	ented to as to Form, and Content	
Ву:	Tammy S. Kirshon – Member/Owner D.B.M.E., Inc.	Date: 7/14/202/
Ву:	Mark L. DeGiacomo – Member/Owner D.B.M.E., Inc.	Date: 7/14/2-1
Ву:	Ann E. Kummer – Member/Owner D.B.M.E., Inc.	Date: 07/14/2021
By:	William C. Irwin – Member/Owner D.B.M.E., Inc.	Date: 7/14/2021
_£	Abir 14th day of July 2021	

Sworn before me on this 14th day of July 2021.

Notary Public

Commission Expires: 02/03/2024

(Affix Notary Stamp of Seal)

ROBYN A JAFFE
NOTARY PUBLIC-STATE OF NEW YORK
No. 01JA6403747
Qualified in Ulster County
My Commission Expires 02-03-2024