

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
Metropolitan Life Insurance Company) ORDER
NAIC CoCode 65978

To: Metropolitan Life Insurance Company
200 Park Avenue
New York, NY 10166-0188

This matter, having been opened by the Commissioner of Banking and Insurance (“Commissioner”), State of New Jersey, upon information that Metropolitan Life Insurance Company (“Respondent”), may have violated a provision of the insurance laws of the State of New Jersey; and

WHEREAS, Respondent is a foreign insurance company admitted to transact the business of insurance since April 1, 1891 pursuant to N.J.S.A. 17B:23-1 to -11; and

WHEREAS, pursuant to N.J.S.A. 17B:27A-54, notwithstanding any other law to the contrary, the commissioner is authorized to approve the establishment of an arrangement by an insurance company operating pursuant to Title 17B of the New Jersey Statutes and authorized to issue health benefits plans in this State, that is entered into on or after June 1, 1993 and which provides for selective contracting with health care providers and reasonable benefit differentials applicable to participating and nonparticipating health care providers. The agreement for an arrangement shall be filed and approved by the commissioner before it becomes effective. The commissioner shall approve the agreement if he determines, in consultation with the Commissioner of Health, that the arrangement promotes health care cost containment while

adequately preserving quality of care. The commissioner may adopt regulations pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) necessary to enforce and administer the arrangements; and

IT APPEARING, the Respondent issued 476 network based vision plans from April 1, 2013 to August 24, 2022 prior to having selective contracting arrangements approved by the Department; and

IT FURTHER APPEARING, that the Respondent:

- 1) Has admitted responsibility for the aforementioned violation; and
- 2) Has cooperated with the investigation conducted by the New Jersey Department of Banking and Insurance ("Department"); and
- 3) Has asserted that the violation cited in this Consent Order were not willful; and

WHEREAS, the Respondent has waived its right to a hearing on the aforementioned violation and consents to the payment of a fine in the amount of one hundred forty-two thousand eight hundred dollars (\$142,800.00); 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 23 day of September, 2022

ORDERED AND AGREED, that the Respondent will pay a penalty of one hundred forty-two thousand eight hundred dollars (\$142,800.00), to the Department; and

IT IS FURTHER ORDERED AND AGREED, the payment shall be made through a certified check, attorney trust account check, money order or electronic funds transfer made payable to the "State of New Jersey General Treasury;" and

IT IS FURTHER ORDERED AND AGREED, that the signed Consent Order together with the payment of \$142,800.00 shall be remitted to:

New Jersey Department of Banking and Insurance
Attention: Virgil Downtin, Chief of Investigations
9th Floor, Consumer Protection Services, Enforcement Unit
P. O. Box 329
Trenton, New Jersey 08625-0329

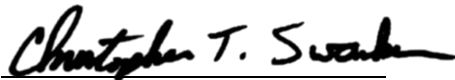
and

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 violation contained herein.



Marlene Caride
Commissioner

Consented to as to Form, Content and Entry:



Christopher Swanker, SVP – Dental, Vision, HS&SA, A&H
Metropolitan Life Insurance Company

9/8/2022

Date