

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 Source Medical) **CONSENT ORDER**
Solutions, Inc.

TO: Source Medical Solutions, Inc.
8000 Avalon Boulevard, Suite 350
Alpharetta, GA 30009

THIS MATTER, having been opened by the Commissioner of Banking and Insurance ("Commissioner"), State of New Jersey, upon information that Source Medical Solutions, Inc., may have violated various 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, offer to act as or hold himself out to be a third-party billing service without being certified by the Commissioner; and

WHEREAS, pursuant to N.J.S.A. 17B:27B-22, a third-party billing service shall immediately notify the commissioner of any material change in its ownership, control, or other fact or circumstance affecting its qualification for certification; and

WHEREAS, on May 1, 2021, Source Medical Solutions, Inc. self-reported to the New Jersey Department of Banking and Insurance that it had conducted business in New Jersey after the acquisition of Serbin Surgery Center Billing, LLC without notifying the commissioner; and

WHEREAS, pursuant to N.J.S.A. 17B:27B-24, any third-party billing service that violates any section of N.J.S.A. 17B:27B-1 to - 25 may be subject to a civil administrative penalty in an amount not less than \$250 but no more than \$5,000 for each day that a third-party billing service is in violation of the act; and

WHEREAS, Source Medical Solutions, Inc. commenced business as a third-party billing service in New Jersey on or about November 22, 2010, as a result of its acquisition of Serbin Surgery Center Billing, LLC, which was at the time certified by the Commissioner as a third-party billing service; and

WHEREAS, Source Medical Solutions, Inc. was certified by the Commissioner as a third-party billing service on June 17, 2021; and

WHEREAS, Source Medical Solutions, Inc. acted as a third-party billing service in New Jersey, for at least six (6) New

Jersey clients, without immediately providing notification to the commissioner of a material change in ownership for a period of 3,478 days; and

WHEREAS, under N.J.S.A. 17B:27B-22 and N.J.S.A. 17B:27B-24, the New Jersey Department of Banking and Insurance may impose a civil penalty against Source Medical Solutions, Inc. for the alleged violations of the Act described above; and

WHEREAS, Source Medical Solutions, Inc. waives its right to a hearing on the aforementioned allegations, and consents to payment of a civil penalty in the amount of \$5,000.00 for the alleged violations; and

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

NOW, THEREFORE, IT IS on this 14th day of February, 2024,

IT IS ORDERED AND AGREED, that Source Medical Solutions, Inc. shall pay the sum of \$5,000.00 in civil penalties to the Department of Banking and Insurance to settle this matter; and

IT IS FURTHER ORDERED AND AGREED, that any future violation of the Act shall be considered a subsequent violation; and

IT IS FURTHER ORDERED AND AGREED, that the \$5,000 shall be paid by certified check, cashier's check or money order made payable to the "**Commissioner, New Jersey Department of Banking and Insurance**" and the full amount shall be paid immediately upon

execution of this Consent Order by Source Medical Solutions, Inc.;

and


IT IS FURTHER ORDERED AND AGREED, that this signed Consent Order, together with full payment, shall be remitted to:

Chandra M. Arkema, Deputy Attorney General
State of New Jersey, Division of Law
R.J. Hughes Justice Complex
25 Market Street, P.O. Box 117
Trenton, New Jersey 08625

IT IS FURTHER ORDERED AND AGREED, that in the event full payment is not made, the Commissioner may exercise any and all remedies available by law, including, but not limited to, recovery of any unpaid penalties in summary proceedings, in accordance with the Penalty Enforcement Law, N.J.S.A. 2A:58-10 to -12; and


IT IS FURTHER ORDERED AND AGREED, that the penalties of this Consent Order are imposed pursuant to the police powers of the State of New Jersey for the enforcement of the law and protection of the public health, safety, and welfare, and are not intended to constitute debts which may be limited or discharged in a bankruptcy proceeding; and

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



Justin Zimmerman
Acting Commissioner

Consented to as to
Form, Content and
Entry:

Date: 1.17.2024



John Spiller, Chief Financial
Officer of Source Medical
Solutions, Inc.

Date: 1/22/2024


Jack Wenik, Esq.
Epstein Becker & Green, P.C.
Counsel for Source Medical
Solutions, Inc.

MATTHEW J. PLATKIN
ATTORNEY GENERAL OF NEW JERSEY

Date: 1/25/2024


Chandra M. Arkema
Deputy Attorney General
Attorney for the New Jersey
Department of Banking and
Insurance