

STATE OF NEW JERSEY
DEPARTMENT OF BANKING AND INSURANCE

IN THE MATTER OF:

Proceedings by the Commissioner of)	
Banking and Insurance, to fine, suspend)	CONSENT
and/or revoke the third party administrator)	ORDER
license of Progyny, Inc.)	

THIS MATTER, having been opened by the Commissioner of Banking and Insurance (“Commissioner”), State of New Jersey, upon information that Progyny, Inc. (“Progyny”) may have violated provisions of the insurance laws of the State of New Jersey; and

WHEREAS, Progyny is licensed as a third party administrator pursuant to N.J.S.A. 17B:27B-4; and

WHEREAS, Progyny is subject to the statutes governing third party administrators, N.J.S.A. 17B:27B-1 to -25, and to the regulations governing third party administrators, N.J.A.C. 11:23-1.1 to -4.3; and

WHEREAS, pursuant to N.J.S.A. 17B:27B-13, entities licensed as third party administrators are required to file an annual report with the Commissioner for the preceding calendar year in a form and manner prescribed by the Commissioner; and

WHEREAS, pursuant to N.J.A.C. 11:23-3.8, a third party administrator must file by June 1 of each year an annual report for the preceding calendar year consisting of an audited financial statement and unaudited information together with a \$100 filing fee. The unaudited information shall contain the complete names and addresses of all benefits payers with which the third party

administrator had a contract in effect during the preceding calendar year and the status of all contracts in effect in the previous year; and

WHEREAS, pursuant to N.J.S.A. 17B:27B-14(d), the Commissioner may suspend or revoke the license of a third party administrator who has violated any lawful rule or order of the Commissioner or any provision of State law; and

WHEREAS, pursuant to N.J.S.A. 17B:27B-24, the Commissioner may impose a civil administrative penalty in an amount not less than \$250 nor more than \$5,000 for each day that a third party administrator is in violation of N.J.S.A. 17B:27B-1 to -25; and

WHEREAS, on September 14, 2018 the Department issued Order to Show Cause E18-93 against Progyny alleging that Progyny failed to file its 2017 audited financial statement; and

WHEREAS, Progyny filed its 2017 audited financial statement report on November 1, 2018;

WHEREAS, cause does exist under N.J.S.A. 17B:27B-24 to impose a civil penalty for the violation of N.J.S.A. 17B:27B-13 and N.J.A.C. 11:23-3.8; and

WHEREAS, Progyny has waived its right to a hearing in this matter and consents to imposition of a civil penalty in the amount of ten thousand dollars (\$10,000.00); and


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

NOW THEREFORE IT IS ON this 5th day of Dec
2018

ORDERED AND AGREED, that Progyny shall pay a civil penalty of \$10,000.00 upon its execution of this Consent Order. The payment shall be made by a certified check or money order, made payable to "State of New Jersey – General Treasury" and shall be sent to Tim

Stroud, Insurance Examiner II, Office of Solvency Regulation, Department of Banking and Insurance, P. O. Box 325, Trenton, NJ 08625-0325; and

IT IS FURTHER ORDERED AND AGREED, that this Consent Order represents a final agency decision and constitutes a final resolution of the allegations of this Consent Order.



Marlene Caride
Commissioner

Consented as to Form, Content and Entry:



Frogyny, Inc.

11/12/2018

Date