

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 Managed Billing) **CONSENT ORDER**
 Services, LLC and Malinda Nieves

TO: Managed Billing Services, LLC
c/o Malinda Nieves
8 Amherst Place
P.O. Box 48
Parlin, New Jersey 08859

THIS MATTER, having been opened by the Commissioner of Banking and Insurance ("Commissioner"), State of New Jersey, upon information that Managed Billing Services, LLC and Malinda Nieves, 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-24, any third-party billing service that violates N.J.S.A. 17B:27B-16 is 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, Malinda Nieves ("Nieves") is the sole owner of Managed Billing Services, LLC; and

WHEREAS, Managed Billing Services, LLC, under the direction of Nieves, commenced business as a third-party billing service in New Jersey on or about April 1, 2019; and

WHEREAS, Managed Billing Services, LLC was certified by the Commissioner as a third-party billing service on February 27, 2023; and

WHEREAS, Managed Billing Services, LLC acted as a third-party billing service in New Jersey, for at least one (1) New Jersey client, when it was not certified as a third-party billing service for a period of 1,306 days; and

WHEREAS, Managed Billing Services, LLC and Nieves admit their above-referenced conduct constitutes a violation of N.J.S.A. 17B:27B-16, and take responsibility for the violation; and

WHEREAS, cause does exist under N.J.S.A. 17B:27B-16, pursuant to the provisions of N.J.S.A. 17B:27B-24, to impose a civil penalty against Managed Billing Services, LLC and Nieves for the violations of the Act described above; and

WHEREAS, Managed Billing Services, LLC and Nieves waive their right to a hearing on the aforementioned violations, and consent to payment of a civil penalty in the amount of \$5,000.00 for the 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 4th day of April, 2024,

IT IS ORDERED AND AGREED, that Managed Billing Services, LLC and Malinda Nieves shall pay the sum of \$5,000.00 in civil penalties to the Department of Banking and Insurance for violating the Act; 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 Managed Billing Services, LLC and Malinda Nieves; and

IT IS FURTHER ORDERED AND AGREED, that this signed Consent Order, together with the payment of \$5,000.00, 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

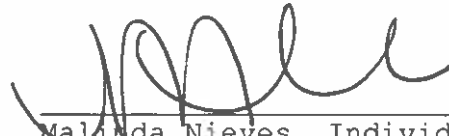
IT IS FURTHER ORDERED AND AGREED, that Managed Billing Services, LLC shall cease and desist engaging in the conduct that gave rise to this Consent Order; and

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


Justin Zimmerman
Acting Commissioner


Consented to as to
Form, Content and
Entry:

Date: 2/05/2024


Malinda Nieves, Individually
and on behalf of Managed
Billing Services, LLC

MATTHEW J. PLATKIN
ATTORNEY GENERAL OF NEW JERSEY

Date: 2/15/2024


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