

NOV 6 2025

FILED

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

STATE OF NEBRASKA)	
DEPARTMENT OF INSURANCE,)	
)	
PETITIONER,)	CONSENT ORDER
)	
VS.)	
)	
BENECARD SERVICES, INC)	CAUSE NO. A - 2553
RESPONDENT.)	
)	
)	

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its representative, Cheryl Wolff, and Benecard Services, Inc., ("Respondent"), mutually stipulate and agree as follows:

JURISDICTION

1. The Department has jurisdiction over the subject matter and Respondent pursuant to Neb. Rev. Stat. §44-4601, et seq.
2. Respondent operated as a pharmacy benefit manager under the laws of Nebraska at all times material hereto.
3. Pursuant to Neb. Rev. Stat. §44-4605(1), "A person shall not establish or operate as a pharmacy benefit manager in this state for a health benefit plan without first obtaining a license from the director under the Pharmacy Benefit Manager Licensure and Regulation Act."

STIPULATIONS OF FACT

1. Effective July 19, 2024, Neb. Rev. Stat. § 44-4603(6) of the Nebraska Pharmacy Benefit Manager Licensure and Regulation Act was amended by the Nebraska Unicameral Legislature to apply to Pharmacy Benefit Managers ("PBMs") acting on behalf of a health benefit plan which includes a "self-funded employee benefit plan to the extent not preempted by federal law".

2. The Department alleges in Cause Number A-2553 that Respondent violated Neb. Rev. Stat. § 44-4605(1), for failing to apply for or obtain a PBM license on or before July 19, 2024.

3. The Department also alleges that operating as a PBM in Nebraska for a health benefit plan without first obtaining a PBM license is a violation of the Nebraska insurance laws that is grounds for the denial of a PBM license pursuant to Neb. Rev. Stat. § 44-4605(5) and that violations of the Act are also subject to disciplinary action pursuant to Neb. Rev. Stat. §44-4611(4).

4. The Respondent admits the following conduct:

a. Respondent applied for a license as a PBM under the Pharmacy Benefit Manager Licensure and Regulation Act on August 12, 2024.

b. The Respondent provided PBM services to self-funded health benefit plans in Nebraska on and after July 19, 2024, and continues to provide such services.

c. The Respondent acknowledges that the failure to obtain a PBM license prior to July 19, 2024, was a violation of the Act.

d. The Respondent agrees that violations of the Act are subject to disciplinary action pursuant to Neb. Rev. Stat. §44-4611(4).

5. Respondent was informed of the right to a public hearing. Respondent waives that right and enters into this Consent Order freely and voluntarily. Respondent understands and acknowledges that by waiving its right to a public hearing, Respondent also waives its right to confrontation of witnesses, production of evidence, and judicial review.

6. Respondent agrees to this Order and freely admits to the violation of Neb. Rev. Stat. § 44-4605(1).

7. Respondent agrees to a monetary penalty in the amount of five hundred dollars (\$500) pursuant to Neb. Rev. Stat. §44-4611(4).

8. Respondent further agrees to conduct itself in accordance with the insurance laws and regulations of the State of Nebraska.

9. In return for Respondent agreeing to and complying with the provisions of this Consent Order, the Department agrees not to deny Respondent's PBM application and agrees that this Consent Order will constitute a disposition of this licensing matter pursuant to Neb. Rev. Stat. §44-4605(1) and §44-4605(5).

10. That upon payment of the monetary penalty, the Department will approve the Respondent's PBM license.

CONCLUSIONS OF LAW

The conduct of Benecard Services, Inc., as alleged above, constitutes a violation of Neb. Rev. Stat. § 44-4605(1), and subjects Respondent to disciplinary action pursuant to Neb. Rev. Stat. §44-4611(4).

CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed to by Respondent, that Respondent shall pay a monetary penalty in the amount of five hundred dollars (\$500). The Respondent has thirty (30) days from the date of approval of this consent order by the Nebraska Director of Insurance to pay the fine. Upon payment of the fine, the Nebraska Department of Insurance will approve the Respondent's PBM application. The Nebraska Department of Insurance shall retain jurisdiction of this matter for the purpose of enabling the Department to make application for such further orders as may be necessary.

In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing their signatures below.


Cheryl C. Wolff, #22990
1526 "K" Street, Suite 200
Lincoln, Nebraska 68501
(402) 471-4649


Benecard Services, Inc.
3131 Princeton Pike, Bld 5, Ste 105
Lawrenceville, New Jersey 08648

Date: 11-6-2025

Date: 11/5/2025

State of Pennsylvania)
) ss.
County of Cumberland)

On this 5th day of November, 2025, Benecard Services, Inc. personally appeared before me and read this Consent Order, executed the same and acknowledged the same to be their voluntary act and deed.

Commonwealth of Pennsylvania - Notary Seal
FRED E SCHOOLEY - Notary Public
Cumberland County
My Commission Expires July 7, 2029
Commission Number 1458787


Notary Public

This notarial act was an online notarization

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance vs. Benecard Services, Inc., Cause No. A-2553.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



Eric Dunning
Director of Insurance

11/6/25

Date

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the executed Consent Order was sent to the Respondent at its registered business and mailing address at 3131 Princeton Pike, Bld 5, Ste 105, Lawrenceville, New Jersey 08648, by certified mail, return receipt requested, on this 6th day of November, 2025.

I also hereby certify that a copy of the executed Consent Order was sent to the Respondent by mailing a copy to the individual designated as the Contact, Maria Minelli. The contact email address provided to the Department for licensure is pbflicensing@benecard.com, on this 6th day of November, 2025.

Sherry Storie