Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, UT 84114
Brent Oscarson
Phone: (801) 538-3195

BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

UTAH INSURANCE DEPARTMENT **COMPLAINANT**	:	**NOTICE OF INFORMAL AGENCY ACTION AND ORDER**
RESPONDENT Continental General Insurance Company Attn: Brian Sponaugle 301 E. Fourth Street Cincinnati OH 45202 Utah Company Id. No. 1000	:	Docket No. 3611 Enf. Case No. 2015-049 HL Judge Mark Kleinfield Administrative Law Judge

The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Annotated §§ 31A-2-201 and 63G-4-201 and Utah Administrative Code Rule R590-160. Based upon information contained in agency files or known to the Commissioner, the Commissioner makes the following:

FINDINGS OF FACT

1. Respondent is an insurer domiciled in the State of Ohio and authorized to do the business of insurance in the State of Utah, Utah Company Identification No. 1000.

2. Respondent is an insurer that markets Long Term Care Insurance Policies and was required, under Utah Administrative Code Rule R590-148-25, to electronically file its Replacement and Lapse Report, its Claims Denial Report, its Rescission Report, and its Suitability Report on or before June 30 of each year.

3. Respondent failed to electronically file its Replacement and Lapse Report, its Claims Denial Report, its Rescission Report, and its Suitability Report on or before June 30, 2014, but subsequently has filed the required reports.

Having entered his Findings of Fact, the Commissioner now enters his:

CONCLUSION OF LAW

1. In failing to electronically file its Long Term Care Insurance Reports on or before June 30, 2014, Respondent violated Utah Admin. Code Rule R590-148-25.

2. Pursuant to Utah Code Annotated § 31A-2-308, the commissioner may impose an administrative forfeiture on an insurer of up to $5,000.00 for each violation of the Utah Insurance Code.

Based upon the foregoing Findings of Fact and Conclusions of Law, the Commissioner now enters the following:

ORDER

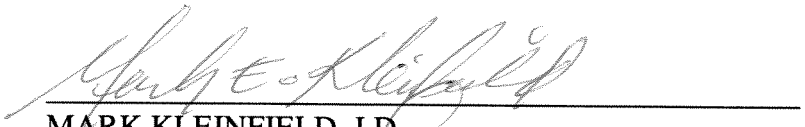
IT IS HEREBY ORDERED:

1. Respondent is assessed an administrative forfeiture in the amount of $750.00. Said forfeiture shall be paid no later than ten (10) days after the date this Order becomes final.

2. This Order shall become final fifteen (15) days after the date of mailing unless a written request for a hearing is received from the Respondent in the offices of the department prior to that date. A written request for a hearing shall be signed by the person making the request and shall state the basis for the relief requested.

DATED THIS 7 day of April, 2015.

TODD E. KISER
INSURANCE COMMISSIONER



MARK KLEINFIELD, J.D.
ADMINISTRATIVE LAW JUDGE
Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, Utah 84114
Telephone (801) 538-3800

NOTIFICATION

If you request a hearing regarding this matter, please contact the Brent Oscarson, at 801-538-3195. Failure to request a hearing will be considered a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

You are further notified that a failure to obey an Order of the commissioner may subject you to further penalties, including forfeitures of up to $2,500.00 per violation and the suspension or revocation of your license and the filing of an action to enforce this Order in District Court, which may impose forfeitures of up to $10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

CERTIFICATE OF MAILING

The undersigned certifies on this date, a true and correct copy of the forgoing NOTICE OF INFORMAL AGENCY ACTION AND ORDER was mailed, postage prepaid, to the following:

Continental General Insurance Company
Attn: Brian Sponaugle
301 E. Fourth Street
Cincinnati OH 4520

DATED this 7 Th April, 2015

LINDA HARDY
UTAH INSURANCE DEPARTMENT
STATE OFFICE BUILDING, ROOM 3110
SALT LAKE CITY, UT 84114-6901

State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Insurance Department

UTAH
Invoice - Original

BRIAN SPONAUGLE
CONTINENTAL GENERAL INSURANCE COMPANY
301 EAST 4TH STREET
CINCINNATI OH 45202

Printed Date: April 7, 2015
Invoice Date: April 7, 2015
Balance Due: $750.00
Due Date: May 12, 2015
Invoice ID: 759623
Payor ID: 1000

Date	Item Description	Amount	
04-07-2015	Monetary Penalty Company	$750.00	E-Case 3611 Docket # 2015-049 HL

No Adjustments

No Payments

Balance Amount Due $750.00

UTAH
Invoice - Original

Make check payable to: Utah Insurance Department
Send payment to:
Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114-6901

Invoice Date: April 7, 2015
Balance Due: $750.00
Due Date: May 12, 2015
Invoice ID: 759623
Payor ID: 1000

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Detach and Return this Voucher with Payment
Payments Will Not Be Processed without Voucher