

**BRYCE H. PETTEY (#2593)**  
Assistant Attorney General  
**BRIAN L. TARBET (#3191)**  
Utah Attorney General (Acting)  
Attorneys for Todd E. Kiser,  
Commissioner of Insurance  
of the State of Utah  
160 East 300 South, Fifth Floor  
P.O. Box 140874  
Salt Lake City, Utah 84114-0874  
Telephone: (801) 366-0375

---

**BEFORE THE COMMISSIONER OF INSURANCE  
OF THE STATE OF UTAH**

---

<b>In Re:</b>	:	<b>ADOPTION OF</b>
	:	<b>REGULATORY</b>
<b>MULTISTATE REGULATORY</b>	:	<b>SETTLEMENT AGREEMENT</b>
<b>SETTLEMENT AGREEMENT WITH:</b>	:	
	:	<b>Docket No. 2013-155 AD</b>
<b>HUMANA INSURANCE COMPANY.</b>	:	
	:	<b>Enf. Case No. 3432</b>

---

**WHEREAS, a regulatory settlement agreement (“Regulatory Settlement Agreement” or “RSA”) has been entered into between (a) Humana Insurance Company and each of its insurer and health plan affiliates that insure, underwrite, or offer, either now or in the past, life and/or health benefits plans in the small group market (“Humana Insurance Company,” the “Company,” and, together with its previously described affiliates, the “Companies”) and (b) the insurance regulators of Missouri, Wisconsin, and Mississippi (“Lead States”), which RSA is dated December 4, 2013 (a copy of which is attached hereto and incorporated herein as Attachment 1);**

**and**

**WHEREAS, in 2012, the Lead States began a multi-state market conduct investigation (“Investigation”) of the Companies regarding their small group insurance sales practices in certain states; and**

**WHEREAS, the Lead States allege the Company engaged in the practice of requiring employers who purchased small group medical insurance in certain states and at certain times to also have purchased a group life insurance product (the “Alleged Practice”); and**

**WHEREAS, the Companies assert they do not now engage in the Alleged Practice in any states:**

**WHEREAS, the Companies and the Lead States have engaged in discussions with respect to regulatory issues raised by the Lead States and a voluntary plan by the Companies to address those issues; and**

**WHEREAS, the Companies deny and wrongdoing or activity that violates any applicable laws or regulation related to the Alleged Practice, but in light of the complicated issues raised, the Companies and the Lead States have agreed to resolve all issues relating to the Investigation or the Alleged Practice through the compromise RSA; and**

**WHEREAS, the Participating States (defined in the RSA as, along with the Lead States, the states that execute the form of “Participating State Adoption” set forth as Exhibit A to the RSA) and the Companies voluntarily agree to enter into the RSA solely for the purpose of reaching a compromise and settlement to fully and finally resolve the issues raised in the Investigation without the need for a hearing or further administrative action; and**

WHEREAS, the RSA sets forth (a) a Voluntary Corrective Action Plan for the Companies (as defined in the RSA), and (b) an Employer Reimbursement Plan (as defined in the RSA), and (c) other miscellaneous provisions of the RSA; and

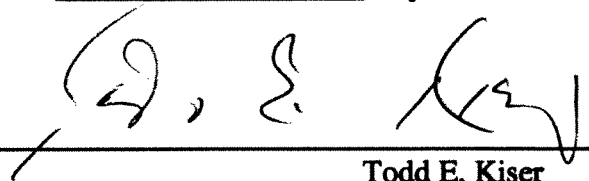
WHEREAS, the RSA will become effective upon the date the RSA has been executed by the Company, the Lead States, and the insurance regulators of at least 10 of the "Participating States;" and

WHEREAS, the Commissioner of Insurance of the State of Utah has determined that it is in the best interests of the citizens of the State of Utah that the Utah Insurance Department participate in the settlement of the subject matter of the RSA;

NOW THEREFORE, IT IS HEREBY ORDERED:

The Commissioner of Insurance of the State of Utah, as executive director of the Utah Insurance Department, hereby adopts, agrees to, and approves the Regulatory Settlement Agreement dated December 4, 2013, by and between the Companies and the Participating States (including the Lead States).

DATED this 31<sup>st</sup> day of December, 2013.

  
\_\_\_\_\_  
Todd E. Kiser

Commissioner of Insurance  
of the State of Utah  
Utah Insurance Department  
3110 State Office Building  
Salt Lake City, UT 84114  
Telephone: 801-538-3800

**CERTIFICATE OF MAILING**

I do hereby certify that on this date I e-mailed to [stewart.freilich@insurance.mo.gov](mailto:stewart.freilich@insurance.mo.gov), and mailed by regular mail, postage prepaid, a true and correct copy of the attached:

**ADOPTION OF REGULATORY  
SETTLEMENT AGREEMENT**

To the following:

**Stewart Freilich  
Senior Regulatory Affairs Counsel  
Missouri Department of Insurance, Financial Institutions and Professional  
Registration  
301 West High Street, Room 530  
PO Box 690  
Jefferson City, MO 65102**

DATED this 31<sup>st</sup> day of December 2013



---

**Linda Hardy  
Market Conduct  
Utah Department of Insurance  
801-538-3860  
[lhady@utah.gov](mailto:lhady@utah.gov)**